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# COLUMBIA JOURNALISM REVIEW

MARCH/APRIL 1977  
NATIONAL MEDIA MONITOR / PRESS • RADIO • TV

## Newspaper mergers: the chains tighten their hold

by BEN H. BAGDIKIAN



Reporting  
on nuclear  
power:  
the Tennessee  
Valley case

New:  
National  
News Council  
report

Box or menthol:

# Carlton is lowest.

See how Carlton stacks down in tar.  
Look at the latest U.S. Government figures for:

## The 10 top selling cigarettes

	tar mg / cigarette	nicotine mg / cigarette
Brand P Non-Filter	25	1.6
Brand C Non-Filter	23	1.4
Brand W	19	1.2
Brand W 100	19	1.2
Brand M	18	1.1
Brand S Menthol	18	1.2
Brand S Menthol 100	18	1.2
Brand BH 100	18	1.0
Brand M Box	17	1.0
Brand K Menthol	17	1.4

## Other cigarettes that call themselves low in "tar"

	tar mg / cigarette	nicotine mg / cigarette
Brand P Box	15	0.8
Brand K Mild	14	0.9
Brand W Lights	13	0.9
Brand M Lights	13	0.8
Brand D	13	0.9
Brand D Menthol	11	0.8
Brand V Menthol	11	0.7
Brand V	10	0.7
Brand M Menthol	8	0.5
Brand M	8	0.5
Carlton Soft Pack	1	0.1
Carlton Menthol	less than 1	0.1
Carlton Box	less than *1	*0.1

\*Av. per cigarette by FTC method



Soft pack-1 mg.  
Menthol-less than 1 mg.  
Box\*-less than 1 mg.

# Less than 1 mg. tar.

**Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.**

Of all brands, lowest...Carlton 70: less than 0.5 mg. tar, .05 mg. nicotine av. per cigarette, FTC Report DEC. '76.

Soft Pack and Menthol: 1 mg. "tar", 0.1 mg. nicotine av. per cigarette, FTC Report DEC. '76.  
Box: 1 mg. "tar", 0.1 mg. nicotine av. per cigarette by FTC method.



# If air bags will save over 10,000 lives and hundreds of thousands of serious injuries a year, what is this country waiting for?

## Are we waiting to see if air bags work?

No, we know they've worked in 320 million miles of on-the-road testing. And in 15 years of laboratory testing besides. Since 1972, air bags have been installed in some 12,000 pro-



In a serious crash the air bag automatically inflates in less than 1/25 of a second, protects and then deflates.

duction autos. More than 100 of these cars have been in crashes serious enough to inflate the bags. And the air bags have worked exactly as they were designed to work.



October 7, 1975, Kansas City, Missouri. On his way to a house call, Dr. Arnold Arms' air-bag-equipped '75 Olds crashed head-on into a bus. His impact was about 40 m.p.h. The policeman who arrived first on the scene could not understand how Dr. Arms had survived. Dr. Arms credits the air bag with saving his life.

## Are we waiting to see if they're better than seat belts?

Lap and shoulder belts do provide substantial low-speed protection . . . when worn. And the belted passenger is almost always better off than the unbelted one. In fact, Allstate always has advocated that a lap belt be provided in air-bag-equipped cars for those who will use it.

But research shows that only about 20 to 30 percent of drivers and passengers are using belts regularly, in spite of almost 20 years of public information.

With air bags as standard equipment, however, all front-seat riders would be automatically protected in almost all serious frontal-type crashes . . . and better protected, too!



April 21, 1976, Moorpark, California. For the 20th Century-Fox feature film "Moving Violation," professional stuntman Vic Rivers drove into a concrete block wall at 32.6 m.p.h. It was the equivalent of a 65 m.p.h. collision into a standing car. He agreed to perform the crash under one condition: That the car be equipped with air bags. Rivers walked away without any injuries.

## Are we waiting because of costs?



Maybe, but not wisely. Authorities estimate that when air bags become standard equipment, they will add somewhere between \$90 and \$120 to the new-car sticker price, about the same as a vinyl roof. (John Z. DeLorean Corporation study, August, 1975.)

And remember, the actual cost may be less. Consider also that, with the annual saving of over 10,000 lives, hundreds of thousands of serious injuries and billions of dollars in economic and societal costs, air bags will more than pay for themselves.

## Are we waiting for more people to die and be maimed?

After years of delay it would seem that we are. During this period of inaction, enough people to populate a small city have been slaughtered and well over a million Americans have been hurt badly, many permanently.

If we're waiting for the problem to go away, it won't.



For further information on air bags, write: Jack E. Martens, Automotive Engineering Director, Allstate Insurance Companies, Allstate Plaza, Northbrook, Illinois 60062

## Yes, what are we waiting for?

# Allstate®

Working to hold your insurance costs down . . . and that's a promise.

# The Homelite story makes a point about something even more efficient than chain saws.

Ever since Homelite started building chain saws in 1948 its record has been one of continual growth and product improvement. Innovative thinking and responsive management have created thousands of new jobs at the Homelite Division of Textron.

This story makes a convincing case for the efficiency of the private enterprise system, according to an initial survey of viewer reactions to Textron's current television campaign.

Comments on the advertising, which includes com-

mercials about several other divisions of Textron, were overwhelmingly favorable. 93% of viewers with proven recall of the campaign said the commercials were informative. 96% found them believable. 84% thought corporations should do this kind of advertising.

Viewers also had some nice things to say about Textron. Which goes to show that making a case for Business can be good business. For more details on the research, write "Response," Dept. T, Textron, Providence, R.I. 02903.

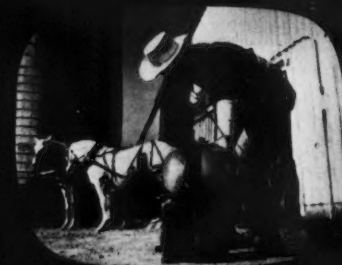


FRANK ATWATER, CHAIRMAN  
Homelite Division of Textron

What I like about running a business is that it's creative. Take what happened here at Homelite.



Today there are 3,000 people at the Homelite Division of Textron, all working on products that didn't even exist thirty years ago.



Back then, Homelite just made generators for farmers, but we were free to use our knowledge of lightweight engines to get into the chain saw business.



In those days chain saws weighed up to a hundred pounds. The first one we made weighed 38.



But right from the start, we had competition, so we've been building them lighter, quieter and safer ever since.



Our lightest model weighs just 8 pounds and it looks as if there's no end to the market for it. But no market grows forever.



That's why we've built this new Research and Engineering Center to develop new products and more jobs for the future.

That's what  
private enterprise  
is all about.

Creating things, and the jobs that go with them. To me, that's what private enterprise is all about.

**TEXTRON**

And that's what we do at every division of Textron.

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● To assess the performance of journalism in all its forms, to call attention to its shortcomings and strengths, and to help define — or redefine — standards of honest, responsible service . . . to help stimulate continuing improvement in the profession and to speak out for what is right, fair, and decent ●

—Excerpt from the *Review's* founding editorial, Autumn 1961

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# CONSERVING ENERGY:

Check your home against this home.

Try this: close your refrigerator door on a new dollar bill. Does it hold the bill tightly? If not, the refrigerator probably needs a new gasket.

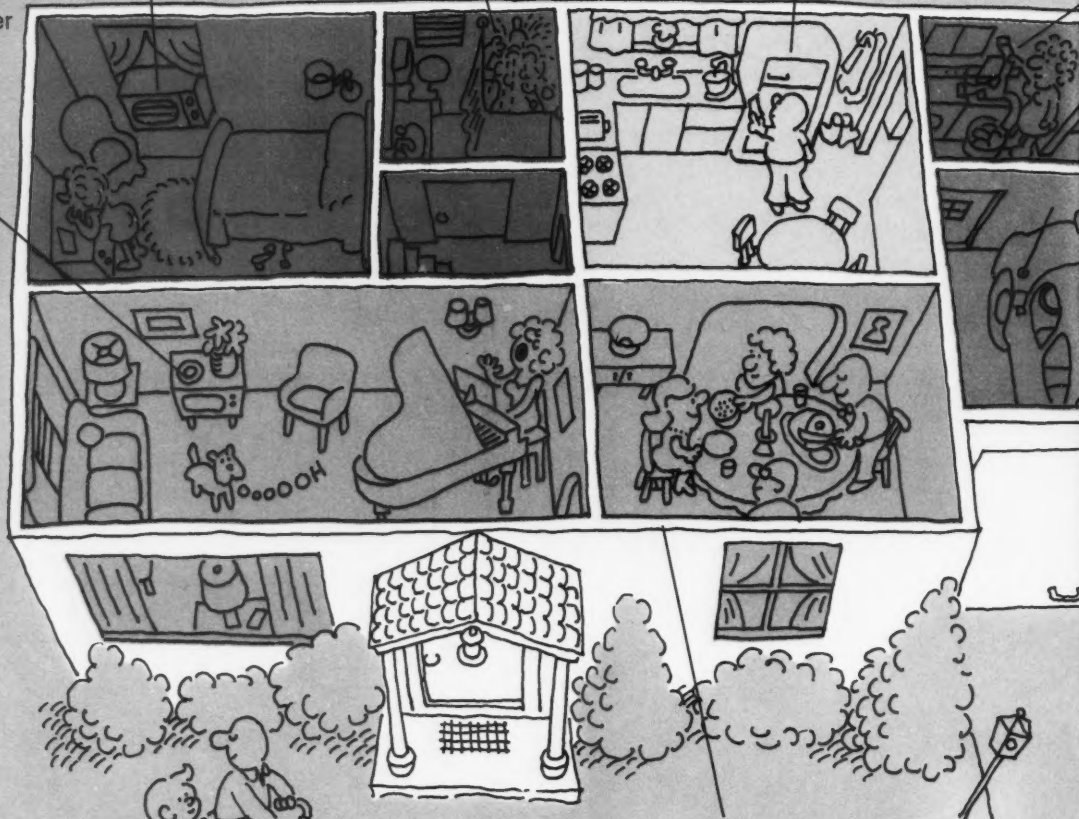
Also check the Energy Efficiency Rating when buying any appliance, including air conditioners.

Another energy-saver is to thaw meats before cooking.

Is that air conditioner really needed every time you use it?

Surprise! Taking showers instead of baths uses only about 1/2 as much hot water.

No one's watching... better turn off the TV. And how about switching to lower wattage light bulbs wherever you can?



Use your own energy—save the nation's. Bicycle! Also make a habit of using mass transit. And encourage your friends to do the same thing, too.

Is your insulation adequate? Attic? Outside walls? Around doors? Have storm windows? Proper insulation is the *single greatest* way to cut heating bills. (Check a contractor for local requirements.)

# Energy for a st

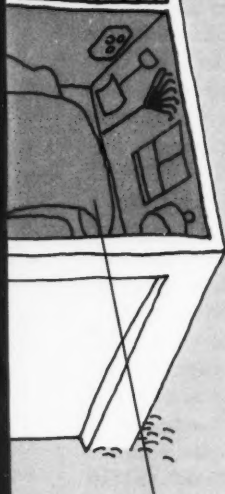


## It's as important today as it was during the shortage of '73-'74. Here's why, and what you can do.

Be sure to wash and dry only full loads of clothes. Also, are you washing with cold water whenever you can?



Are power tools needed, even for that small job? Muscle power might do it as well.



Car pool and combine trips. And when you drive stay under 55 mph—you'll use 11% less gasoline than driving at 65 mph. Regular tune-ups and proper tire pressure save fuel, too.

During the winter of 1973/1974, Americans realized that it was critical to "save a watt" and "not be foolish." Energy conservation was the watchword because some of the foreign oil we were using was cut off, and domestic supplies of gas and oil had not been able to meet all of our needs for some time.

Today energy conservation is practiced by many Americans. But greater efforts, by more people, are needed because conserving energy is absolutely vital.

### Conservation: another energy source.

Gas and oil are finite, nonreplaceable resources. That's why Exxon is working on developing other sources of energy, as well as on ways of finding more gas and oil. But development takes time: 3 to 7 years to establish a coal mine; and it's going to take time before enough solar systems can be put into use to make a substantial contribution to our energy needs.

No doubt you're wondering how you and others can save energy, and if your individual efforts can save enough to really do any good. Absolutely! And one of the best places each of us can save energy is at home. When you consider the impact of 57 million American family dwelling units, the savings add up fast. In fact, the National Petroleum Council estimates that 14% of the energy now used in

America's dwelling units could be saved . . . the equivalent of 11 billion gallons of petroleum products per year. So you see, your share is much more than just a drop in the barrel.

### Saving energy also saves money.

The wise use of energy is also wise money-management, for it can save on your fuel and electric bills. Some examples: HEAT. Each degree above 68° F on your thermostat can add 3% to the amount of energy needed, and a proportionate amount to your heating bill. LIGHT. One 100-watt bulb burning for 10 hours uses the equivalent of 1 pound of coal . . . you pay for it on your electric bill. WATER. If a faucet leaks one drop of water per second, it can waste 700 gallons a year. If it's hot water, that's both energy and money down the drain.

There are countless ways to save energy. Our tip is to find the ways that are most practicable for you. You'll find familiar suggestions—and perhaps some surprises—right on the "home" shown at the left.



# rong America

# COMMENT

## Darts and laurels

**Dart:** to *Time*, for its October 11, 1976, story on the home-buying frenzy in Southern California. The article repeated fact and phrase from G. Christian Hills's September 27 by-lined story in *The Wall Street Journal*.

**Laurel:** to the *Des Moines Register* and reporter Arnold Garson for a striking power play: a 70,000-word dissection of the city's power structure — who has it, how they got it, how they use or abuse it.

**Laurel:** to Washington's public-television station WETA, for its contribution to public understanding with live coverage of the Senate confirmation hearings of Carter cabinet appointees.

**Dart:** for ambidexterity, to WISN (Milwaukee) anchorman Carl Holland, who switches from morning newscasting duties to directing press relations for suburban Greenvale's police.

**Laurel:** to U.P.I., which, undeterred by the territorial imperatives of local journalism, developed an intensive, complex, 15,000-word investigation of Chicago's slums and changing neighborhoods; for its part, the Chicago press picked up substantial parts of the revealing analysis of fear, greed, and F.H.A.-financed segregation.

**Dart:** to "Consumer Alert," daily radio spots on WCBS by New York Consumer Affairs Commissioner Elinor Guggenheimer, for fictionalizing and embellishing reports to consumers "to make them more interesting" (and thanks to Marcia Chambers of *The New York Times* for the revelation on January 22).

**Laurel:** to the *Newsday* team of Richard W. Estrin, David Zinman, Bob Wyrick, and Dennis Hevesi for "The War on Cancer: Are We Winning It?" — a two-week series, nine months in preparation, which reported that a federal "bureaucratic nightmare" is pre-

venting an effective attack on possible environmental causes of cancer.

**Laurel:** to the *Chicago Tribune*, for dropping, with the new year, its decades-old Barnum & Bailey-style motto: "World's Greatest Newspaper." The company remains stuck, however, with the call letters WGN on its broadcast properties; perhaps they now can stand for something neutral, such as: "We Gather News."

**Laurel:** to *U.S. News & World Report* for creative application of the Freedom of Information Act to obtain copies of hundreds of "issue papers" prepared for the new administration by the Department of Defense.

## A warming story

Food editors who still write casually about the hazards of using microwave ovens (see, e.g., *The Hartford Courant*, January 19, 1977) are referred to Paul Brodeur's "Microwaves" — a two-part article in *The New Yorker* (December 13 and 20, 1976). Brodeur shows in convincing detail why it is hazardous to take at face value either manufacturers' or many official reassurances that microwave-generating devices are safe.

## WJM-TV, Minneapolis signs off

So Mary and Murray and Lou and Ted have called it a day — the last original *Mary Tyler Moore Show* will be shown, barring specials, pre-emptions, and other acts of television nature, on March 19 — and now we're all just a little bit poorer. Not just as viewers, though television delight from any quarter is all too rare already; and not just as journalists, who may have lost one of the best p.r. representatives the profession

has ever had; but also as viewers and journalists alike who may miss some of the show's less obvious instruction.

Some hardened media-watchers know dismiss *M.T.M.* as just another sit-com, blessed with talented actors, slick scripts, and a winning formula; the stereotypical characters, they say, could have played out their silly little entertainments just as happily in an insurance office or a boardinghouse as in a newsroom. Maybe. But it was because of the *M.T.M.* newsroom that millions of viewers understood, perhaps for the first time, what was involved in a judicial order to reveal a source, and witnessed the appropriate professional response. It was in that newsroom that they observed the intrusion of the media consultant into the evening news. And it was in that newsroom that they heard Lou Grant, trying to persuade Tex Baxter to turn down an extravagant job offer as a quizmaster, deliver the wonderfully funny — but none the less eloquent — testimony to the noble calling of the newsmen.

Ted Baxter. Surely there is a place for Ted Baxter somewhere in the annals of journalism, for of all the members of the *M.T.M.* group, it was he who most nudged the professional psyche. "I know that anchorman," said Charles Kuralt in an address to the Radio-Television News Directors in September 1975, "in love with himself and his image, who wouldn't know a news story if it jumped up and mussed his coiffure." Ted Baxter may have been a journalistic joke, but he depended for his comic existence on a crucial perception by the audience — the perception of the gap between this foolish anchorman and the respected journalist. The audience understood this difference and it laughed; the profession recognized the difference, and it squirmed. But everybody knew the difference.

Much of the *M.T.M.* action, of

course, was not even remotely concerned with journalism, but however quotidian the plot line, the time-zone clocks were on the wall, the wire machine was in the corner, and the newsroom was there, a silent character. Always it was understood that whatever else might be going on in the lives of that engaging group, the six o'clock news would be going on too. And mediating the threat of the evening news, mysterious, cold, impersonal, was the *M.T.M.* newsroom, predictable, warm, intimate — and fun. When Archie Bunker settled into that armchair each evening to watch the six o'clock news that was so far beyond his comprehension and control, it was, in a sense, WJM-TV that he watched — and now it was plain that for those on the other side of the television set, things weren't much different — that the people behind that six o'clock news were no wiser, and no stronger, and no less human than anybody else.

G.C.

## Why did the L.A. Times slam its neighbor?

On the morning of December 14, the West's biggest paper, the *Los Angeles Times*, broke the rule, in force since the decline of old-time feuding journalism, that one paper does not speak ill of another. The *Times* not only spoke ill; it ran a full-scale exposure that laid many of the municipal ills of Long Beach, twenty miles to the south, at the doorstep of that city's newspapers, the *Independent* and the *Press-Telegram* (known familiarly as the *I, P-T*). The 20,000-word story started on page one, jumped to a two-page spread and filled the news hole on six pages more.

Under the headline, LONG BEACH — GOVERNMENT BY NEWSPAPER, the article accused the *I, P-T*'s executives of playing "active roles in key governmental decisions while the newspaper shielded much of the city's business from public view." Specifically, the article charged:

□ The *I, P-T*'s editor and publisher, Daniel Ridder, and general manager,

Sam Cameron, helped in 1970 to finance and organize the purchase of an issue of a weekly tabloid to smear proponents of a recall petition.

□ Cameron was involved in the 1967 purchase of the liner *Queen Mary*, while the paper avoided disclosing that the purchase had become a "costly and embarrassing boondoggle."

□ Ridder killed stories critical of the city's Economic Development Corporation, of which he was the president.

□ The management of the paper was closely intertwined with the city establishment: "For more than a decade few decisions were made at City Hall unless the paper approved."

□ The paper hid the disability of an alcoholic city manager.

Almost at once, theories began to appear on why the *Times* had done it. A *New York Times* story noted that the exposé had "occurred against a backdrop of serious competition between the papers for subscribers and advertisers." The *Times* has a circulation of a million a day, almost seven times the daily circulation of the *I, P-T*. But in the Long Beach core area, the *I, P-T* outsells the *Times* by 4 to 1. The *Times* does not pretend to cover Long Beach intensively. Otis Chandler, *Times* publisher, recalls that he canceled a zoned edition there in 1959, just before he succeeded his father. Chandler ridicules the idea that the *Times* had an economic motive; Ridder, although angry, agrees that "economic motives just don't make sense."

Another school of thought proposed that the article was motivated by rivalry over projects in Los Angeles County. Ridder's older brother and predecessor as publisher had opposed the *Times* over use of county funds to finance a music center; the center was a major project of Otis Chandler's mother, Dorothy Chandler, for whom one of the theaters in the center is named. The *I, P-T* also successfully opposed the *Times* in a battle over where to build a new customs house. Bill Thomas, editor of the *Times*, dismisses this theory, as well as the economic one. His explanation of the exposé is direct: "If you set out to find who runs a town, a town in trouble, and find the paper's in the center,

you've got to go with the story."

*Times* reporters and editors unanimously support this explanation; all claim that Chandler knew nothing of the story until it was well on its way. The original assignment, they say, came last May from the paper's metro editor, Mark Murphy, following the arrest of the Long Beach city planning director. Responsibility for the story fell to George Reasons, who shared a 1969 Pulitzer Prize, and Mike Goodman. Goodman says: "The basic question we set out with was, 'Why is this city having so many problems?' We kept coming across the newspaper's trail everywhere we went. It became apparent the newspaper was part of the problem."

The reporters agreed that they did not settle on the paper as the key to the investigation until they organized their material late in November. They realized that an exposé of another newspaper would be an oddity but, Goodman asked at the time, "Where has journalism gone if this is not a story?" Thomas said he first saw the article about a week and a half before it was printed and that Chandler did not see it until it was in the paper but was well briefed on the contents.

The evidence is that the *Times* published the story for the reason critics mention least — that it represented the results of an important investigation. However, David Shaw, the *Times*'s media reporter, has suggested that a good deal of the brouhaha over intent could have been avoided had the *Times* explained itself briefly with an acknowledgment that it had been guilty of similar abuses in the past, but that the case of the *I, P-T* was "anachronistic and so much more pervasive" that it had to be investigated.

A secondary controversy arose, after the *Times*'s story appeared, over one of its revelations — that the publisher or his subordinates at the *I, P-T* had killed stories dealing with conflicts of interest in a Long Beach Economic Development Corporation headed by Ridder himself. One reporter, Tom Willman, resigned when the stories were killed; the other who had worked on the story, Mary Ellis Carlton, quit after the *I, P-T*,



responding to the *Times*, called their story "unsubstantiated" and "unpublishable." The story's substance eventually appeared under their by-line in *New West* magazine (January 31).

ANDY McCUE

*Andy McCue is a reporter for Fairchild Publications in Los Angeles.*

## The conditions of freedom

*The following editorial is reprinted from The Times of London of January 15, after the paper missed an issue because members of a printer's union refused to print an article critical of trade unions.*

The events which led to *The Times* not being published on Thursday can be quickly described. We received a copy of the magazine *Index on Censorship* which had a long article by Mr. David Astor, the ex-proprietor of *The Observer*, an article which was very critical of the print unions and of the weakness of the editorial and management of Fleet Street in dealing with the print unions. We prepared a report on the contents of Mr. Astor's article and put it into the paper in the ordinary way. Two printing chapels objected to the report and one, the machine minders' chapel of the N.G.A. [National Graphical Association], persisted in their objection after being told that they would have the same right to reply in a subsequent issue which *The Times* normally gives to those who are criticized in our columns. That is not an unconditional right of reply, as it depends on the material submitted being suitable for the paper, but it is normally a full one.

At first we were presented with a demand that part of the report should be cut out, and later with the modified demand that there should be additional matter expressing the chapel's protest against the allegations that Mr. Astor was making. We were not prepared to cut the article and we were not prepared to add to the article, under trade union pressure. As a result the chapel refused to print the paper. This was not action

taken by the N.G.A. as a union, and the union officials advised the chapel to work normally. . . .

The editorial independence of the press exists or survives in only about one-fifth of the nations of the world, but is essential to democracy; unless the press has freedom of speech the public does not have freedom of speech or information. Those who wish to maintain the freedom of a nation must stand behind the editorial freedom of the press, even though they know that it will sometimes be abused and often be wrong in its judgments. Those in the press who want to maintain its freedom must also try to raise the standard of its news reporting, its sense of responsibility, its willingness to report all sides and its essential fairness. Only a fair press will retain the public confidence that is needed by a free press.

In establishing the editorial freedom of *The Times* we have had in our history to deal with three major influences. Early in the nineteenth century we established our freedom from government and government subsidies; at about the same time we established our freedom from advertisers who in the eighteenth century press were able to insert paid puffs recommending their plays or their pills as though such puffs were an independent editorial opinion.

After our experience of Lord Northcliffe, in which *The Times* staff had a long struggle to resist the very wilful political control of their proprietor, independence from proprietorial direction was agreed in the letter to Lord Astor of Hever which was written by Geoffrey Dawson on his reappointment. That was confirmed at the time of the sale of the majority interest to the Thomson family, and editorial independence has been a consistent principle of both Astor and Thomson ownership.

*The Times* has had different relationships with different governments, with a skeptical scrutiny being the normal and perhaps the wisest attitude. Yet we are certainly not enemies of governments as such. Our very different relationships with our advertisers and with our proprietors are obviously important and friendly ones. Both are essential to the well-being and indeed to the con-

tinuance of the newspaper. The principle of editorial independence is therefore one of independence and not of hostility.

This too is the friendly relationship that we seek to have with all the trade unions that operate in the paper. The work of their members is obviously essential to the well-being of *The Times*; when the relationship with them is at its best the business of *The Times* goes forward most satisfactorily. Yet we are determined to be independent of them, as of government or advertisers or proprietor, in preserving the freedom of the editorial process. Independence is as essential to the working of the editorial process as it is to the working of the judiciary, and it can only be preserved by the same absolute standards.

In modern society the power of trade unions is very great. If newspapers admit the right of trade unions to alter copy, either by addition or subtraction, then the range of such interference, or of the inhibitions which might arise from the possibility of such interference, can be very wide. This will not only arise in trade union matters. In all those political questions on which people feel passionately including apartheid and race relations, there will also be a temptation for trade unions to use their power in such a way as to inhibit free reporting and free comment. Once admit the principle that pressure can alter editorial decisions and you invite further pressure.

It is for these reasons that we decided that we should print our report of Mr. Astor's article in exactly its original form, without addition or subtraction, that we would continue that stand until the article had been printed, and that we would take the same attitude towards the whole of the editorial process. This is not to say that the editorial process itself should not be an open one. Anybody, a citizen, a reader, a member of the editorial staff, a member of the printing staff, a trade union official, an ambassador, a private soldier, a public figure, can come to *The Times* and by way of letter or by word of mouth put his views or information to us, but he must not come on a claim of power. The editorial process entirely welcomes outside opinion and totally rejects outside pressure.



# the "diverters" will getcha if you don't watch out!

If you operate a car, every time you buy gas, oil or tires you pay special taxes that more than cover the cost of the roads you drive on. Part of this money of yours (about \$38 a year for the average motorist) goes into the Highway Trust Fund that was established by Congress to construct the Interstate and Federal Aid highway systems.

The trucking industry also shares the cost: trucks, which comprise 17.7% of the vehicles on the road, pay 43.1% of the taxes that go into the Trust Fund. It is a fair pay-as-you-go plan: highways paid for by users and nobody else.

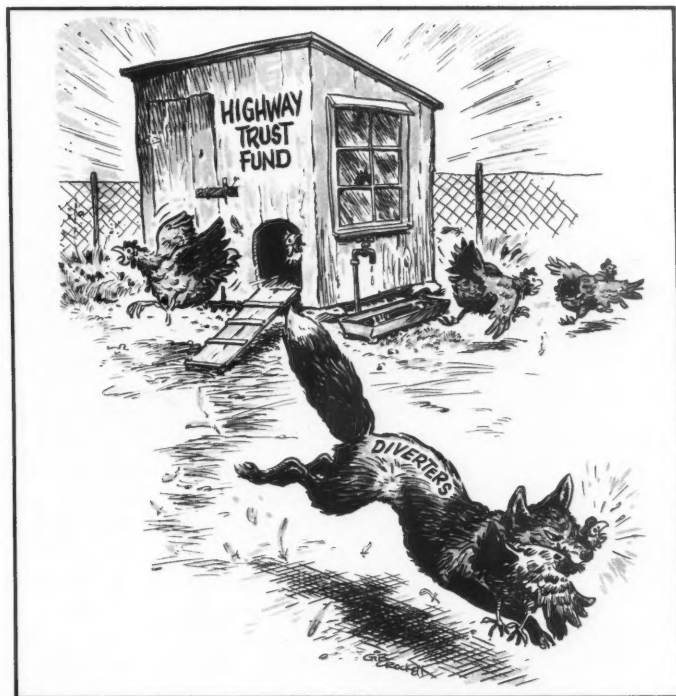
But for years special interests have pressured Congress to divert Highway Trust Fund money to other

programs. Like rapid transit systems for big cities.

The Interstate serves all of America, not just a few metropolitan districts, and the cost is defrayed by motor vehicle operators in every city, town and rural area throughout the country.

To take money paid in good faith for highways and use it for local non-highway projects would be unfair to millions of the taxpayers from whom it was collected and would curtail a program that benefits the nation.

But the pressure for diversion is on. If you don't believe it, ask your Congressman. He feels it every day. And he will appreciate knowing that you support his efforts to resist the "diverters" who want him to break the trust. Your trust.



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# AT ISSUE

## TV news's old days weren't all that good

*Critics of television, including some who have appeared in the Review, often say or imply that TV documentaries, news, and public-affairs programs have been progressively reduced in quantity and in forthrightness as the dollar value of the broadcast minute has increased. In a guest appearance in a journalism class at Columbia, Richard S. Salant, president of CBS News, argued that the reverse has been true. Responding to a question, he set forth then-and-now figures that were surprising to many in his audience. While parts of his argument had been used by CBS officials previously, the Review's publisher believed that the full Salant case deserved a wider hearing and invited him to put it in writing. The following is condensed from what he wrote and is presented as an articulate contribution to a debate that doubtless will continue.*

by RICHARD S. SALANT

**F**or more than a decade, critics have regularly pronounced that the 1950s were the good old days for television journalism — and that it has been all downhill since. And that now — whenever “now” happens to be — is worse than ever.

Nostalgia is all right in its place. But this kind of nostalgia about what has been considered a “Golden Age” simply ignores the facts. Neither the sense of guilt enveloping the 1950s, nor the sense of guilt urged on us by the critics for the current schedule, is warranted. The simple fact is that the supposedly bad todays are very significantly better than the supposedly good old days. We never had it so good.

Perhaps there is a strange compulsion to make the past look better than it was in order to make the present look worse

than it is; or perhaps this is an era when it is a better and easier story to divide the world into black hats and white hats and to insist that senior management of any news organization is always the black hats; or perhaps the passage of time causes all of us to telescope what was, to remember only the highest points of the past and to insist that any given moment or year of today does not match the telescoped high points spread out over a decade or half a decade twenty years ago.

Or perhaps all of these reasons, and others, combine to identify the old days as the Golden Age. They were not. They may have been the Golden Age in the context of the times then. They are not, in the context of today and, we most fervently hope and confidently expect, of tomorrow.

That, precisely, is why it is important at the threshold to emphasize that any comparison between today and the yesterdays of one or two decades ago should not be, and is not, invidious, nor is it a reflection on my predecessors as head of CBS News (I have served as head of CBS News not only from 1966 to the present, but also from 1961 to 1964 — so I am, after all, one of my own predecessors, on whom I do not intend to cast reflections!). The central point is that the fifties marked the period of the beginnings and the growing development of television news and documentaries. It was, as Frank Stanton used to say, the time when news and documentaries were putting on their first long pants. For their time in that early life cycle, they were distinguished and broke new ground.

My predecessors and their work did the pioneering. But that cannot obscure the fact that we have moved on since. And just as the fifties were the beginning, so I would hope that the seventies are not the plateau. We still have many mountains to climb — mountains which

we must climb if only because they are there.

Nor do I contend that only CBS News has moved forward significantly. I cite here facts and figures involving only CBS News because that is all I know firsthand. I would suppose my counterparts at other networks can make somewhat comparable cases for their news organizations.

*Fact:* In the supposedly great days of the 1950s, the broadcasts produced by CBS News and carried on the CBS Television Network occupied — by a considerable margin — fewer hours, and a smaller percentage of the entire network schedule, than they currently occupy. Thus, in the two years 1956 and 1957, CBS News broadcasts occupied about 760 hours. In the combined years 1975 and 1976, they occupied 1,415 hours — twice as many. Each pair of years includes a presidential election year. The 1956 and 1957 figures are estimates only — the records are somewhat difficult to reconstitute. But they are sufficient to establish the general order of magnitude here reflected.

Critics, however, often use the litmus test of how much “prime time” (commonly defined as 7:30-11:30 P.M.) a television network devotes to documentaries: They insist that in the old days more prime time was devoted to documentaries. They are very wrong. Putting aside the question whether a late Sunday afternoon time period, for example, away from the competition of network entertainment programs, may not, in some circumstances, be more desirable than prime time, and accepting the notion that documentaries in prime time is the name of the game, it is clear that the fondly remembered days are, in fact, far less bright than is today. Thus, in 1956 and 1957 combined, there was a total of only four hours of documentaries between 7:30 and 11:00 P.M. In sharp contrast, during the most recent two years,

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1975 and 1976, seventy-five hours of documentaries were broadcast between 7:30 and 11:00 P.M. — about nineteen times as many as in 1956-7.

There have also been significant increases between 1956-1957 and 1975-1976 in all other types of CBS News broadcasts on the network: Regularly scheduled evening hard news has been doubled in time, Saturday and Sunday evening half hours and a full, early morning weekday hour have been added; hard news pre-emptive specials have increased. And by the time of the publication of this article, an additional weekly hour of CBS News broadcasts will have been added to the schedule with the introduction 8:00-9:00 P.M., of *Who's Who*. Further, during the 1975-76 period, the television network schedule included twelve hour-long documentaries (*Magazine*) for the daytime audience, six hours of documentaries (*What's It All About?*) on Saturdays for children, and fifty-two hours of daytime news for children (*In The News*), Saturdays and Sundays. These had no counterparts in the "Golden Age."

*Fact:* To us in news, and to senior management as well, I suspect, the most valuable thing in television is time on the air. But the next most valuable thing is money. And between the fifties and today, there has been a significant increase in dollars devoted by company management to CBS News. Restating the 1959 figures to take into account the rise in the consumer price index since then, the CBS News Division budget increased between 1959 and 1976 by just about two and a half times (without the C.P.I. adjustment, the amount of News dollars almost quintupled). And for those skeptics who would argue that that increase is hardly significant because the CBS, Inc. net income increased hugely between 1959 and 1976, it should be noted that in both 1959 and 1976 the actual expenditures for CBS News were just about the same percentages of the total corporate net income.

*Fact:* So too, there has been marked growth in network News personnel. In 1959, for example, the total CBS News full-time staff was 437. By 1976, it had risen to 967.

Those are tangible measurements. But it is contended regularly in articles and books that, in the good old days, the documentaries, at least, dealt with the raw-nerve issues while today's do not. This involves a reasonably subjective judgment, but the judgment should not be distorted by remembering only *See It Now* and the *CBS Reports* that dealt with smoking and cancer, McCarthyism, and migrant labor. Those great documentaries represented peaks over a considerable period of time and the documentaries of those days — fewer in number on an annual basis than the documentaries currently on the CBS Television Network, even without counting the weekly *60 Minutes* and *Who's Who* of today — are matched in toughness of subject matter by the more modern documentaries — "The Selling of the Pentagon"; "The Guns of Autumn"; "Some Are More Equal Than Others"; "The IQ Myth"; "Caution: Drinking Water May be Dangerous to Your Health"; "The Palestinians"; "The American Way of Cancer"; "The Politics of Cancer"; "What If The Dream Comes True"; "You and the Commercial"; "The Best Congress Money Can Buy"; "Vietnam: A War That Is Finished"; "The American Assassins"; and "Inside the C.I.A." And long-term myopia leads one to forget, in any event, that there were such *See It Now* broadcasts as "Stockmobile: Mobile Offices of Merrill, Lynch, Pierce, Fenner and Beane," "Portrait of Las Vegas," "Two American Originals" (interviews with Grandma Moses and Louis Armstrong), and "The Secret Life of Danny Kaye." Marvelous documentaries — they were indeed. Controversial and hard-hitting — they were not.

And then there is the most intangible, and in many ways the most important of all, from which all else flows: the relationship of the news side to the ownership/senior management side. It seems to be the conventional wisdom of those who see the Golden Age of a couple of decades ago, as distinguished from what is presumably the Age of Brass today, that the fifties were the period when there was the ideal rela-

tionship of owner/management's confining itself to publicly and privately cheering the news staffs on, but never intruding, and always urging them to more daring heights — no questions asked. The other side of the coin, in this scenario, is that that independence has been lost and that the news side is subject to constant ownership/management intrusion to avoid controversy, to avoid making waves, to avoid offending any segment of society, and above all, any advertiser or government official.

A great deal of this portrayal is pure speculation — by outsiders who simply assume that at CBS, and almost every other news organization, the reporters are the fearless independent good guys (which is usually true) and that the publisher and the owner are the bad guys (which is only sometimes true). That black hat/white hat concept is as old as the history of journalism and is pure speculation, sired by the assumption of its applicability to all news organizations.

The issue is an elusive one, difficult, if not impossible, of proof. Not the least of the difficulties is that rarely has any observer, or critic, or even participant stopped to define with any degree of precision just where senior management/ownership responsibility and leadership should end and news independence begin. Of course, ownership/management should stop short of intrusion into, or interference with, the subjects, the content, or the treatment of news stories and documentaries. But only an anarchist would contend that the owner/senior managers should simply provide the money and the space or the time, but never guidance or leadership on basic principles — of what the news organization ought to stand for.

Perhaps the best, if rather general, definition I have found was by an editor of a magazine which was a subsidiary of a company which in turn had just acquired a new president. The editor thought it wise to try to define at the beginning just how his necessary independence and the senior manager's responsibility should be reconciled. He defined



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it in terms of the relationship between the field manager of a baseball team and its owner. The field manager is the one who chooses the players, decides when and what positions they are to play, decides when the pitcher should be taken out, when the batter should bunt — and the club owner never should make those decisions or even suggest them. If, over a period of time, the club owner thinks the field manager is making too many mistakes in these areas, the owner's only, and proper, recourse is to fire the manager. Just so, the editor contended, the function of the publisher/senior manager should begin and end with the firing of the manager.

That is a little simplistic, but it is as good a definition as any.

If that is the definition, I can speak from my experience as head of the CBS News Division from 1961-1964 and

1966 to the present — over thirteen years in all. That, with one or two highly publicized, and even then debatable, exceptions, is precisely the way it has been at CBS. Never has senior management ever told me to do or not to do a story, to do or not to do a documentary, to deal or not to deal with any given topic — or how to do so. Some of my associates who have been with CBS News for a long time and have had experience with other news organizations, including print news organizations, have assured me that based on their own experience and their conversations with their peers elsewhere in news, we at CBS News enjoy extraordinary freedom and independence. How it was in the "good old days" I do not know for sure. But I do know that before I became part of the CBS News Division in 1961, I was part of the CBS corporate

staff for nine years. I recall that as a corporate officer I attended many screenings of documentaries *before* air time. This does not happen at CBS today.

The reader can pay his money and take his choice. I have had first-hand experience and the choice I make leads me to the simple, if self-serving, conclusion that when the specifications are written for the ideal relationship between those in news operations, on the one hand, and owner/senior management/publisher, on the other hand, as good a place as any for the first draft is right at CBS — today, now, not then, whenever "then" is.

But in the final analysis, the debate about whether the Golden Age is real or nostalgic myth will always go on and facts will be the neglected child. The only thing that is certain about all this is that in 1986 the critics will insist that the Golden Age was 1966; and in 1996, this current year of our Lord will have achieved golden status.

I had an algebra teacher at school who used to startle us into attention by suddenly announcing, "Today will be yesterday tomorrow." When we stopped to think about it, we figured out that he was right. He could have been thinking about the debate concerning the Golden Age of television news.

Observations: *Parts of Mr. Salant's case, of course, are open to argument. One can question, for example, whether the Who's Who program, which he says will add to the CBS News total for 1977, really qualifies, in its present form, as either news or documentary in the accepted use of those terms, but he argues that the same could be said of Person-to-Person in the earlier years. Some will say that top management's non-interference stems in part from its confidence in Mr. Salant as a former vice-president of CBS Inc. Nonetheless, even after statistical allowances are made, his figures are more impressive than many supposed, and his statement is welcomed as at least one network's commitment to emphasis on relatively unprofitable journalistic programming in the future.*

E.W.B.

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## I made my debut at the Vienna Opera

In school they labeled me a "blackbird." Which meant I moved my lips but kept mercifully quiet in music class. Now I was singing, gloriously, at the Vienna Opera. Even the ghost of Empress Eleonora, who brought opera to Vienna in the 17th century, yelled "bravo!" Why not? Vienna knows quality when it hears it. What if my debut did occur in fantasy? It could have happened that way... if I was born a nightingale.

Tomorrow I'm off to the Vienna Woods. Who knows... maybe I'll meet another blackbird on a Danube steamer or at the spa of Baden. Then we can make beautiful music together. There's something about Austria that makes you want to sing duets... Come sing with us. Encounter Austria and know the heart of Europe.



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## Thank you, Walter Cronkite

We listened very carefully recently when Walter Cronkite, dean of American newscasters, and, as some polls have shown, one of the most trusted figures on television, addressed a group of radio and television news directors on the state of their craft. We admired his courage and perception in expressing a weakness in TV coverage that we've been trying for some time to bring to public attention.

Basically, Mr. Cronkite complained about television's problem in covering complex news issues adequately. "...In the compression process forced upon us by the severe limitations of time," he said, "the job is incredibly, almost impossibly, difficult. I'm afraid that we compress so well as to almost defy the viewer and listener to *understand* what we say. And when that becomes the fact, we cease to be communicators."

Mr. Cronkite wasn't talking specifically about energy news. But he could have been. With nearly three-quarters of the American public getting most of its news from television, we hold TV very largely responsible for public confusion and misunderstanding over America's energy problems.

The problem, he elaborated, is "the inadvertent and perhaps inevitable *distortion* that results through the hyper-compression we all are forced to exert to fit one hundred pounds of news into the one-pound sack that we are given to fill each night."

"The cumulative effect is devastating, eating away at our credibility," he said. "Perhaps it will take a while for the masses to catch on—they usually are the last to know the truth. But among the informed, the opinion leaders... the awareness is spreading—the awareness that our abbreviated versions of the news are suspect. They or their friends and associates have been victimized by our truncated reports, and they spread the word."

As one of TV's frequent "victims" we couldn't agree more with the tube's respected dean. We often see distortions when TV reports on large oil company profits, without any

mention of rate of return on investment, or other accepted yardsticks. We saw it when TV reported those 1973-74 rumors of tankers waiting offshore for higher prices, and then gave scant coverage to denials by the Coast Guard and others.

The time factor is only one shortcoming of television news programs. We'd also like to see Mr. Cronkite address the problem of television news shows being, essentially, entertainment vehicles and the fact that, in the drive for ratings, news directors—and broadcasters—will sometimes emphasize the emotional or visual aspect of a story in an effort to entertain rather than inform.

Obviously we at Mobil don't seriously expect television stations to bill their news programs as entertainment. But we do wish television news people would emulate their print colleagues and be a little more responsive to outside views. Newspapers and magazines at least allow advertising on public issues. They also print articles by free-lance journalists, and guest columnists are regularly featured within their pages. Ideally, we'd like television to adopt similar approaches. But commercial television networks won't allow outsiders to produce news shows. We know the sort of tight control networks maintain on the free flow of information. We've tried to offer in commercials the same kind of messages we present in this space. But we've been turned down.

Mr. Cronkite does suggest longer news programs so items can get fuller development. This, he feels, would provide "enough extra time for the explanatory phrase, the 'why' and the 'how' as well as the 'who,' 'what,' 'when,' and 'where.'"

"We must redouble our efforts," he adds, "to convince all those concerned that the republic, that the people, need this hour not just so we can do a different job, but so that we can do a better, more *honest* job of carrying this tremendous responsibility that rests on our shoulders."

Well said, Walter Cronkite.

# Mobil



The surf dashing upon the rocky shore sounded a cacophony in the disappearing night.

A lone gull swooped, a cackling reminder to the angry sea.

Through the mist that crept along the edge of the cliff, two figures moved eerily toward a climactic confrontation.

A sliver of moonlight bathed their faces as he reached out and swept her up into his embrace.

And with the passion born of centuries he whispered, "Did you know that Xerox is a registered trademark of Xerox Corporation and, as a brand name, should be used only to identify its products and services?"



# Newspaper mergers— the final phase

Now that most independent dailies have been gobbled up,  
the chains are devouring chains

by BEN H. BAGDIKIAN

**I**n 1887 a twenty-three-year-old Canadian factory owner named George Gough Booth married the daughter of a Detroit newspaper publisher, a union whose descendants in 1976 played leading parts in the last act of the decline and fall of the independent daily newspaper in the United States.

In the son-in-law tradition of journalism (Arthur Hays Sulzberger and Orvil Dryfoos at *The New York Times*, Philip Graham at *The Washington Post*, and others), George Booth took over the family business, then known as *The Detroit Evening News*. He and his brother, Ralph, were lively entrepreneurs and they bought eight other dailies in Michigan.

By 1976 the heirs of George and Ralph Booth were doing very well. The eight papers, owned by Booth Newspapers, Inc., were monopolies in sizable cities outside Detroit, covering almost 40 percent of the entire Michigan newspaper audience. Through interlocking shares and directors, pretty much the same people controlled The Evening News Association, owner of, among other things, *The Detroit News*, which covers 22 percent of the Michigan audience. Both corporations make lots of money.

But two things were fated to end the family dynasty. First, fecundity; second, the Booth Newspapers' old-fashioned ways of doing business: the concern ran a tight operation, made profits, and saved some of its money for a rainy day.

An excess of heirs has always created problems for family-owned newspapers and it did for Booth. By 1976, there were 125 descendants and in-laws of George and Ralph taking money out of the corporation, and together these shareholding relatives controlled about 40 percent of the newspaper chain. The rest of the stock was scattered

among 1,800 other holders, most of whom had bought it on the open stock market. A few of the heirs were active in the business and drawing salaries. Most of the others merely collected dividends.

Thirty-seven of the descendants held 1,320,000 shares of Booth Newspapers, Inc., or 18 percent of the company. Their dividends came to about \$1 million a year, or an average of \$27,000 each. But the thirty-seven were unhappy. Modern newspaper companies, they had heard, are not supposed merely to pay handsome dividends. They are supposed to be financially "aggressive," which means squeezing profits from existing papers in order to buy other papers in other places. It means borrowing on assets for tax purposes and to help speed acquisitions. It means trading in "funny money" instead of cash, swapping unissued stock certificates from the company safe for smaller corporations. By such means are formed the diversified conglomerates favored by Wall Street investors, who then buy up the stock and provide even more money to buy even more papers. As the largest single organized block of stockholders in Booth, the unhappy thirty-seven accused their management of violating these rules of the game.

And, indeed, the Booth managers had sinned. They had saved \$50 million in the bank and they had amassed \$130 million in assets on which they had failed to borrow a dime. In the modern corporate game this is like leaving an unshackled ten-speed bicycle in the doorway of a reform school. The unhappy thirty-seven warned that they could liquidate the newspapers, piece by piece, and make a profit of \$23 million, or an average of \$621,000 each.

Confronted with this threat, management made one move toward modernity. It entered the funny-money business. In 1973 it agreed to give John Hay Whitney's Whitcom Investment Company 18 percent of Booth stock and three seats on the Booth board in a swap for Whitney's *Parade* magazine, supplement for 113 Sunday newspapers.

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*Ben H. Bagdikian has commented on the press in the Review since 1962.*

## 'Newhouse ... has consistent advice for estranged family members: sell'

There are varying theories on why Jock Whitney sold *Parade*, just as there still are on why he bought and disposed of the old *New York Herald Tribune*. Whatever the motives, bad blood developed between the old directors and the new directors. The Booth management disliked the high-rollers from New York. And the *Parade* directors were disgusted at Booth's failure to spend its \$50-million nest egg, its delinquency in not borrowing on its assets, and its neglect in that other vital counter in the kit for playing Conglomerate, the seven million unissued shares in the company safe.

The scene now shifts to Samuel I. Newhouse, the country's most aggressive buyer of newspapers and a man extraordinarily sensitive to newspapers' family squabbles. He is the leading volunteer family counselor to troubled journalistic households. He has consistent advice for estranged family members: sell. He always has generous amounts of money for relieving siblings of burdensome stock. With such counsel and cash he acquired, for example, the Bowles family's Springfield, Massachusetts, newspapers.

Whitcom shareholders went secretly to Counselor Newhouse, sobbing that Big Daddy Booth was a stick-in-the-mud who wouldn't let Whitcom come out and play adult games like all the other kids. Newhouse gave them comfort, advice, and \$31 million for their shares. His urge to console unabated, he bought up another block of Booth stock from a foundation and in February 1976 emerged with holdings of 25.5 percent. He issued a statement, possibly from a file kept ready for such occasions, declaring that he had no intention of taking over Booth Newspapers, Inc.

Booth management, in a state of alarm, made a defensive move. They paid U.S. Senator Howard Metzenbaum and a partner \$5 million for ComCorp, Inc., an outfit that owns ten weekly newspapers in the Cleveland area. They knew that among Samuel I. Newhouse's properties (twenty-two newspapers, five magazines, six TV stations, four radio stations, and twenty cable systems) was *The Plain Dealer*, Cleveland's morning newspaper and now a competitor with Booth's newly acquired weeklies. The Booth management expected that the new Booth properties in Cleveland would create an antitrust barrier against Newhouse control of Booth.

The Antitrust Division of the U.S. Department of Justice occasionally comes out of its slumber to murmur in protest when direct, profitable competitors enter into a notoriously public relationship. But in this instance the Department of Justice continued its beauty sleep and Newhouse continued to tighten his embrace.

Booth management next tried to get outside financing to buy out the dissident relatives, but they were barred from using corporate funds and could not raise enough money as individuals. So they turned to possible alternative buyers. Among the conglomerates and chains closing in on the few

substantial dailies that remain independent, there are five companies with a reputation for concern with editorial quality that appeals to journalism enterprises that want to sell their readers gracefully: Dow Jones (*The Wall Street Journal*), Knight-Ridder, The New York Times Company, The Washington Post Company, and Otis Chandler's Times Mirror Company (*Los Angeles Times*). Booth let Times Mirror into the bidding.

In January 1976, the month before Newhouse began his drive, Booth stock was selling for \$16. Newhouse bought his 25.5 percent interest at an average of \$25 a share. With competitive bidding, the price rose still higher. Chandler said he would go to \$40. Newhouse responded that he would top any Chandler bid, and Chandler dropped out. Chandler was apparently hampered because Times Mirror, according to *The Wall Street Journal*, was having trouble with its latest big-paper acquisition, *The Dallas Times Herald*. In addition, Times Mirror is traded on the stock market and anything over \$40 a share for Booth would have meant reduced dividends, which would have momentarily depressed Times Mirror stock prices, thus reducing the money available for investment in other properties.

Newhouse is still privately held, so he does not have to keep public shareholders happy with immediate and unshrinkable dividends. With the help of profits from his other newspapers and a loan of \$130 million from the Chemical Bank of New York, he had ready money. He came up with \$47 a share and took over Booth in the single biggest newspaper deal in history, estimated at \$305 million, or \$592.88 a reader, according to an estimate in *The Nation*.

The unhappy thirty-seven would get \$62 million for their shares, or an average of \$1.7 million each. Their defeated opponents in Booth management decided to pretend that what had happened had been consent, not rape. In March 1976, when Newhouse opened his campaign, the Booth officers had warned their shareholders that Newhouse represented "potential harm to the company, its shareholders, customers and readers." In October, after the takeover, the same officers issued a new statement: "It is clearly in the interests of Booth and our stockholders to accept this offer and we enthusiastically recommend it. Personal contact with Mr. Newhouse . . . has led to a high regard for him and his organization."

**T**his is not a morality story of virginal Booth against an evil old Sam Newhouse. Booth, while better than many other chains, was not outstanding in its journalism. One of its papers, *The Jackson Citizen Patriot*, was founded by Wilbur F. Storey, the man who said, "It is the duty of a newspaper to print the news and raise hell." But after newspapers joined the Booth chain they usually raised no hell. The papers had a reputation for efficient business management and intelligent use of modern tech-

nology, but when it came to news they generally made few local waves. Booth, although more conservative in its business methods and acquisitions, had been in the same chain game as Newhouse; the chief difference between Newhouse and most other chain builders is that he is faster and less pretentious.

The approaching end of the independent daily is not the result of a conspiracy among media barons. It is a largely impersonal process, operating in harmony with the rest of the American economy. In that sense, newspaper companies are no different from concerns that deal in oil, automobiles, pharmaceuticals, or underarm deodorants. The product happens to be different, for it conditions daily the national political and social consciousness. But the organizations that provide the product operate with the same corporate motives as shoe factories.

Thanks to that economic imperative, today 71 percent of daily newspaper circulation in the United States is controlled by 168 multiple ownerships. Concentration of control over daily news is accelerating. In 1930, chains controlled 43 percent of circulation; in 1960, 46 percent. In terms of control of individual newspapers, the share held by chains has grown even more sharply: 16 percent in 1930, 30 percent in 1960, 60 percent today. The approaching disappearance of even small independent newspapers is not only economically but politically important, because almost all dailies are local monopolies, exerting substantial influence in their congressional or state legislative districts. Most of the dailies still independent can be found among those with less than 10,000 circulation, a size that has a cash flow too small to attract major chain operators.

And the trend goes on. The employee-held *Kansas City Star* and *Times* has announced that it has accepted an offer of more than \$100 million from Capital Cities Communications, a conglomerate based in broadcasting. *The Oakland Tribune*, once a major influence in California Republican politics, recently announced that it was up for sale, too.

The top chains in number of papers owned as of December 31, 1976, according to data collected by Paul Jess of the University of Kansas, are:

Gannett	73	Harte-Hanks	24
Thomson	57	Scripps League	20
Knight-Ridder	34	Worrell	19
Walls	32	Cox	18
Newhouse	30	Stauffer	18
Freedom	25		

In terms of daily circulation, the leading chains are:

Knight-Ridder	3,725,000	Times Mirror	1,750,000
Newhouse	3,530,000	Dow Jones	1,700,000
Chicago Trib.	2,995,000	Hearst	1,550,000
Gannett	2,940,000	Cox	1,200,000
Scripps-Howard	1,750,000	N. Y. Times Co.	1,005,000

Three related developments have intensified concentration of control over news in America:

□ Among chains, the big are getting bigger. Thomson newspapers started 1976 with fifty-one U.S. dailies and ended the year with fifty-seven; Newhouse began with twenty-two and ended with thirty; Gannett, the biggest collector of papers, began the year with fifty and ended it with seventy-three. In 1960, the twenty-five biggest chains controlled 38 percent of all circulation; in 1976 the top twenty-five had 52 percent; never before had so much been under the control of so few.

□ Now that practically all the financially attractive individual newspapers have been bought by groups, the process of concentration is taking the form of chains buying other chains. In 1976 four big chains bought six smaller chains, the two most notable cases being Newhouse's purchase of Booth and Gannett's of Speidel's thirteen dailies.

□ While fewer owners control more newspapers, almost all newspapers are now monopolies in their own communities. Of the 1,500 cities with daily papers, 97.5 percent have no local daily newspaper competition. In 1920, there were 700 United States cities with competing papers; today there are fewer than fifty. The reader has no choice even of absentee owners.

**A** particularly disturbing form of concentration in the news business is the conglomerate — the collection under one corporate roof of many different kinds of companies. In such a setting, news can become a mere by-product and there is maximum potential for conflict-of-interest pressures.

The New York Times Company, one such communications conglomerate, suffered its moment of truth in 1976. The Times Company has twenty-seven subsidiaries, including *Tennis* magazine, *Golf Digest*, *Family Circle*, ten Florida newspapers, three North Carolina dailies, one radio station, one television station, and three publishing houses. Among the properties the company bought from another conglomerate, Cowles Communications, Inc., was a group of seven specialized journals in the health field, headed by *Modern Medicine*. In 1976 *The New York Times* — a daily paper published by the conglomerate — ran a series of articles on medical incompetence. In retaliation, medicine-related industries threatened to withdraw advertising, not from the *Times*, for which they provided only insignificant revenue, but from *Modern Medicine*, in which the medicine industries were major advertisers. The threatened withdrawal of 260 pages of advertising placed the Times Company in a position to lose half a million dollars. Not long after, the Times Company decided to sell the magazines to Harcourt Brace Jovanovich, the book-publishing conglomerate, which bargained for them on the ground that they would create constant conflicts for the *Times* and the



# 'It's a monopoly and a license to steal money forever'

Rupert Murdoch

Times Company. One wonders whether Harcourt Brace Jovanovich will now think twice before publishing an otherwise acceptable manuscript if it contains material displeasing to the advertisers who are now a source of the concern's revenues. One wonders, moreover, if other newspaper conglomerates would have been as willing as the Times Company to get rid of such a property; it would strike many as simpler not to assign reporters to stories that might offend someone doing business with a subsidiary.

(Incidentally, the comparatively low recent profits from *The New York Times* have led some observers to conclude that companies acquire subsidiaries to prop sagging newspapers. In practically all conglomerates, their newspapers are highly profitable.)

Chandler's Times Mirror Company is the biggest newspaper-based conglomerate. In addition to publishing the *Los Angeles Times*, Long Island's *Newsday*, and *The Dallas Times Herald*, it owns subsidiaries that produce most of the telephone directories in the West, Bibles, law books and medical journals, road maps for major oil companies, navigational charts for airlines, and wood products; it also owns the New American Library paperback house, cable television systems in New York and California, and 320,000 acres of timberland.

In putting together his conglomerate, Newhouse has shown that there is a place for sentimentality. In 1959, as a present to his wife on their thirty-fifth wedding anniversary, Newhouse bought her *Vogue*, *House & Garden*, *Bride's Magazine*, *Glamour*, and *Vogue Pattern Book*, not at the corner drugstore for \$5 but at The Condé Nast Publications, Inc. for \$5 million. A few months later, for what sentimental purpose he did not say, Newhouse bought *Mademoiselle* and six other magazines by acquiring Street & Smith publications.

Newspapers and broadcasters have substantial cross-ownership. Newspaper-owned television stations have 18 percent of the national audience. Within the broadcasting industry itself, group stations have three-quarters of the average daily audience. The fifty largest cable companies have two-thirds of all cable customers.

In broadcasting, also, concentration of control over the news function by networks means control by conglomerates, whose non-journalistic subsidiaries represent potential conflicts with independent news.

The RCA Corporation, for example, owns NBC. The parent corporation does more than \$5 billion of business a year, of which NBC represents less than 20 percent. RCA owns Random House, the book publisher, together with its subsidiaries which include Ballantine Books, Alfred A. Knopf, Pantheon, Vintage, and Modern Library. It owns the Hertz Corporation. It is a major defense industry, producing military radar, electronic-warfare equipment, laser

systems, instruments that guide aerial bombs to targets, hardware that does intelligence processing, guidance for surface-to-air missiles, and it has wholly owned subsidiaries around the world. It controls telecommunications among 200 nation states through its RCA Global Communications, Inc. RCA is also a subcontractor on the Alaska pipeline project, and it has produced guidance systems for Apollo and Skylab spacecraft. One wonders what might have been lost to RCA in its multimillion-dollar Apollo and Skylab space contracts if its wholly-owned broadcasting arm, NBC, had produced a convincing documentary against spending all that money on space exploration.

Throughout the Vietnam War, CBS, too, was involved in defense contracting. In 1975 it sold its high-technology government-contract business to Espco, a Massachusetts concern with a German branch. Now the company owns X-acto tools, Steinway pianos, Creative Playthings, the publishing house Holt, Rinehart and Winston, *Field & Stream* magazine, *Road & Track*, *World Tennis*, *Cycle World*, and Popular Library paperbacks. It has businesses in thirty foreign countries, while subsidiaries make and sell recordings in twenty countries. It recently bought Fawcett Publications, adding to its stable the magazines *Woman's Day* and *Mechanix Illustrated*, a mass-market paperback operation, and a printing company.

American Broadcasting Company, Inc., is an entertainment and amusement-park conglomerate, as well as a major purveyor of national news. It owns 277 theaters in eleven states. It is a major manufacturer and producer of recordings under a number of popular labels, and owns a water-bottling company, and Word, Inc., of Waco, Texas, a major producer of religious records, tapes, music sheets, and books that is doing especially well during the recent vogue of evangelism. In a recent year, Les Brown reported in *The New York Times*, the ABC network's news-documentary budget was cut to make up for unsatisfactory profits in the unrelated amusement and recording subsidiaries of the parent corporation.

Even conglomerates that have no obvious corporate connection to American news organizations still may have an impact. An American oil company, Atlantic Richfield, recently acquired a 90-percent interest in the influential London *Observer*. The *Observer's* news service is distributed by the New York Times News Service to fifteen American newspapers. Mobil only buys ads. Arco bought the paper.

Some American chain operators have ideological interests here and abroad. John P. McGoff, the president of two journalistic groups, Panax (which owns six dailies and thirty-seven weeklies) and Global Communications (which owns two dailies and eight weeklies), has tried to buy *The Washington Star*. McGoff was one of the backers of an attempt last year to take over the *Rand Daily Mail*, the leading paper in South Africa, with the intention, according to

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the British press, of making it more conservative. Clarence Rhodes, a former vice-president of Panax and now a member of its board, was named by Joan Lestor, a member of the British parliament, as a leading member of a secret group that has run well-financed propaganda campaigns in defense of South Africa's apartheid policies. Rhodes denied membership in the secret group. Rhodes is also president of UPITN, a television newsfilm syndication service partly owned by United Press International, itself part of an American-based conglomerate.

As large American corporations become increasingly multinational in scope, foreigners are showing that they can return the favor by penetrating United States markets. The company of the Canadian-born Lord Thomson of Fleet, who died in 1976, owns fifty-seven newspapers in the United States (many of them weeklies), thirty magazines in South Africa, and is a partner in oil exploration with Occidental and Getty oil companies and Allied Chemical.

**A** spectacular entry from abroad is Rupert Murdoch of Australia, who recently bought the *New York Post* for more than \$30 million. According to news stories, he then tried to hire some writers from *The Village Voice* and the writers declined, saying they would not work for a sex-and-sensation peddler. Days later, Murdoch bought *The Village Voice* in a deal with *New York* magazine that gave him both those publications plus *New West*. Murdoch now owns eighty-eight newspapers in Australia, England, and the United States.

The usual fear aroused by a Thomson or a Murdoch is that they will do their journalistic moneymaking in the fastest possible way — stingy news operations for Thomson, lurid sex for Murdoch. Other foreign operators represent something potentially more sinister. The Rev. Sun Myung Moon's Unification Church International, an operation that has never disclosed its financial sources and is suspected of connections with the Korean C.I.A., has started a daily newspaper in New York, *The News World*.

Nothing on the horizon indicates that the trend toward concentration of power in the news business and the mixing of news with other enterprises will diminish. All the present signs are that consolidation will increase.

The existence of monopoly in local markets and the stable, high profits monopoly papers enjoy have made American newspapers prime targets for big investors. Foreign investors seem to be more candid than their American corporate cousins. Rupert Murdoch has said, "You pay three times the revenue because it's a monopoly and a license to steal money forever." Lord Thomson once said, "I buy newspapers to make money to buy more newspapers to make more money. As for editorial content, that's the stuff you separate the ads with."

Chains traditionally have enjoyed savings simply by

virtue of their owning several papers in several places: they provided consistent, centralized management; they could bargain more effectively for the paper, equipment, and news services; they had better access to credit; and they could sell ad space more easily. But these advantages were limited because the American newspaper is a local enterprise and newspaper chains could not consolidate their several small production centers into one big, efficient central factory, as could the makers of automobiles and steel.

The electronic automation of newspapers has now given chains new economies of scale, an incentive to become larger. Crucial to automation is the computer, and with the decreasing cost of communications through satellites and microwave towers, papers can now have central computers serving several papers. The Landmark chain owns papers in Norfolk and Roanoke, Virginia, and in Greensboro, North Carolina, each of which can use the others' computers when needed. *The Wall Street Journal* transmits its pages to scattered printing plants electronically. Booth became a target for takeover partly because it had so completely automated that in four years it doubled its productivity per employee. As centralized functions develop, profits will become even larger and the sound of huge fish swallowing big fish that have already gulped several little fish will become ever louder.

Adding to the rush to concentration is the trend for newspaper companies to be traded on the stock market. As recently as 1962 no paper was publicly traded. Today thirteen companies offer their stock to the public and these companies control a fifth of all daily circulation. They average a 17-percent return on sales. In 1975, profits of *Fortune* magazine's 500 biggest corporations dropped 13 percent. That year, a "bad" one for newspapers, newspaper earnings rose 8 percent. The return on stockholders' equity for the publicly traded newspaper companies is 15 percent. As newspaper operations get bigger, they will be publicly traded to avoid taxes and inheritance duties.

From 1970 to 1976, fifty-two daily papers were bought with thirteen million pieces of paper printed by the winning chains. For example, the Times Mirror Company bought the Dallas *Times Herald* for 1.8 million shares of Times Mirror stock; Dow Jones bought the Ottaway chain of newspapers for a million shares of Dow Jones; Gannett bought the Federated chain of papers for 1.5 million shares of Gannett; Knight merged with Ridder for 5 million shares of Knight; and Gannett bought the Speidel chain for 4.3 million shares of Gannett. If cash had been used in these and other newspaper deals, half a billion dollars would have changed hands.

Size and money-making by themselves are not contrary to good journalism. Some of the best papers are the big ones. And unless they are profitable they will not remain in business or, if they do, they will not remain free. But the

present concentration of power over the news reduces the diversity of voices in the marketplace of information and ideas. As companies get bigger they are able to increase their influence over the rules of the marketplace and make government policy sympathetic to themselves and harder for smaller competitors. A daily newspaper publisher always has disproportionate access to politicians. But if, like Gannett, the publisher controls papers in twenty-eight states, that access is obviously greater. In the United States Senate, for example, voting on a bill in which Gannett, as a corporation, has a lively interest, will naturally have special meaning for the fifty-six senators who come from states with Gannett papers.

Growing size means more conglomerates. It is too late to apply antitrust laws literally. Too many consolidations have already taken place, and the giants in the business are too influential in policy to make likely corrective action by any foreseeable government. The Internal Revenue Code lets newspapers set aside profits at special tax advantages in order to buy other papers, calling it a "necessary cost of doing business." Even if that strange code should be abandoned, the most attractive papers are already in chains.

There is, in my opinion, one small thing that can be done here — namely, to make disclosure of ownership public in a meaningful way. The United States Postal Service grants special mailing privileges to newspapers on the ground that they are educational. In the past, secret owners ran what should have been paid propaganda as news. To prevent this, the postal service requires each publication using the second-class mailing privilege to publish the names of all owners of 1 percent or more interest. This statement is usually published in early October in the smallest type on an obscure page. In the listings as they presently appear, however, there is no way to tell a 1-percent owner from one who owns 90 percent. And the real owners are often hidden through the listing of banks, trust officers, brokers, and other agents. Postal regulations should be amended to require what the Securities and Exchange Commission does of traded companies — the listing of the exact holdings of each major investor and officer, and the listing of all other significant holdings in other enterprises by the owners. The postal service should make this listing public in the local post office. *The Minneapolis Star*, privately owned, voluntarily produced a complete disclosure of who owned the evening *Star* and the morning *Tribune* and all relevant financial information, as well as for other media operations in the city. The papers survived the experiment and continue to run annual financial statements.

Growing conglomerates also mean potential corporate conflict of interest in the news. And this calls for a more profound change. It is time for professional staffs of American newspapers and broadcasting stations to choose their own top editor, to have a delegate on the company board of directors, and to have access to the committee that allocates

the annual news budget. This is done on a number of quality European papers, including *Le Monde*. There is no magic that will make news staffs unerringly wise in their choices, or politics-free in their elections, or protected from ultimate corporate control of funds. But they can do no worse than appointments made by corporate management. Their office politics cannot be more byzantine and demeaning than what is sometimes done to gain editorial appointment from business executives. And knowing the basis for allocating corporate money for newsroom budgets is better for everyone than remaining in ignorance.

Broadcast and newspaper news is too important an ingredient in the collective American brain to be constantly exposed to journalistically irrelevant corporate policy. There are still crude operators who issue high-level orders to cheat on selection of news. But, as Warren Breed and other social scientists have shown, management usually socializes news staffs by the more subtle methods of selection through hiring, granting or withholding promotions and pay increases, decisions on what goes into the paper and what stays out, playing up some stories and playing down others.

Staff autonomy in the newsroom has not been the ordinary way of running business, even the news business. But there is no reason to expect that a person skilled at building a corporate empire is a good judge of what the generality of citizens in a community need and want to know. Today, news is increasingly a monopoly medium in its locality, its entrepreneurs are increasingly absent ones who know little about and have no commitment to the social and political knowledge of a community's citizens. More and more, the news in America is a by-product of some other business, controlled by a small group of distant corporate chieftains. If the integrity of news and the full information of communities are to be protected, more can be expected from autonomous news staffs than from empire builders mainly concerned with other businesses in other places.

Frank Munsey was a turn-of-the-century Maine Yankee who learned how to buy, sell, and liquidate newspapers. In 1903 he said: "In my judgment, it will not be many years — five or ten perhaps — before the publishing business in this country will be done by a few concerns — three or four at most."

Munsey was wrong. It is taking longer. But he did his best to hasten the day and when he died, another kind of publisher, the Kansan William Allen White, wrote in his *Emporia Gazette*:

Frank Munsey, the great publisher is dead. Frank Munsey contributed to the journalism of his day the great talent of a meat packer, the morals of a money changer, and the manners of an undertaker. He and his kind have about succeeded in transforming a once noble profession into an eight per cent security. May he rest in trust.

Munsey was a piker. It is now a 15-percent security. ■

# Reporting on nuclear power: the Tennessee Valley case

Is boosterism good enough when a region  
faces critical questions  
of nuclear power development?

by DEBORAH SHAPLEY

In January 1975, the Tennessee Valley Authority (T.V.A.) — best known for its dam-building and regional development activities in the New Deal era — announced that it planned to double its power system, already the largest in the country, in ten years. Ninety percent of the new capacity, the Authority announced, would be generated by nuclear power plants. When the building program is finished, the T.V.A. will be running seventeen nuclear reactors (or ten percent of the nation's civilian reactors scheduled to be operating by 1986), built at seven sites at a cost of more than \$10 billion. The T.V.A. decision meant, then, that the valley the Authority serves will become a major proving ground for civilian nuclear power.

At the time the T.V.A. made this announcement, it was already operating its first nuclear power station — the Browns Ferry plant, near Athens, Alabama, in the southern part of the T.V.A.'s power network. The network serves a seven-state area (see map, page 25), including mainly the valley of the Tennessee River. Rising in western Virginia and North Carolina, the river moves south through eastern Tennessee, past Knoxville and Chattanooga, and crosses northern Alabama; it then turns north, cutting up through western Tennessee and western Kentucky, to empty into the Ohio River at Paducah, Kentucky. The T.V.A.'s power system reaches beyond the confines of the river valley into northern Georgia and northern Mississippi. Three cities line the river where it drops into Alabama — Huntsville, the site of the National Aeronautics and Space Administration's Marshall Space Flight Center; Decatur, twenty miles to the west and close by the Browns Ferry nuclear power station; and, farther to the west, Florence.

On March 25, 1975, two months after the T.V.A. announced that it was going nuclear in a big way, a fire broke out in the Browns Ferry plant, whose two completed reac-

tors had only recently begun operating and whose third reactor was under construction. The fire started when workmen in the cable-spreading room, situated directly beneath the plant's control room, were checking for air leaks in the spaces where the cables passed through walls. This was done by holding up a lighted candle and watching the drift of the flame; gaps would then be filled with polyurethane foam, a highly flammable substance. On March 25, a candle ignited the foam. The fire spread quickly down narrow passages. It lasted seven-and-a-half hours. No radioactivity leaked outside the plant as a result of the fire, but debate still continues over whether a major accident was only narrowly averted. One of the plant's two reactors was shut down, with little difficulty; the other remained "dangerously out of control," according to a report published by the Union of Concerned Scientists, until its temperature was finally stabilized by improvised means.

The Browns Ferry fire was the most serious fire in the history of the civilian nuclear industry. It prompted critics of the T.V.A.'s nuclear policy to question the Authority's competence in nuclear management and to urge a halt to its nuclear building program. A hundred miles north of Browns Ferry, *The (Nashville) Tennessean* (circulation: 126,100) gave prominent play to the views expressed by such critics, and wryly commented in an editorial: "If things keep going as they have been, it may be the wiser thing to pass out the candles to T.V.A.'s customers." Much closer to the scene of the accident, *The Decatur Daily* (circulation: 22,000), was less irreverent. In fact, it found ways to argue that the fire made the T.V.A. look good. In an editorial that appeared shortly after the fire, *The Decatur Daily* asserted:

It is good to know that the plant was designed and operated in such a manner that when problems did arise, they were solved safely and satisfactorily. TVA is to be commended for its foresight in planning for emergencies, but condemned for "inexcusably" [the plant superintendent's phrase] setting the fire in the first place.

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Deborah Shapley is a reporter for Science magazine's "News and Comment" section.



The editorial, like others of its kind, overlooked a number of facts that made the T.V.A.'s foresight seem less than commendable. For one thing, many of the major cables for both reactors, including their automatic emergency shut-down systems, had been routed through one room; this is contrary to an established nuclear plant design principle according to which at no single point should any major system be vulnerable to fire, sabotage, or accident. On a homelier level, it turned out that when the local Athens fire department arrived the firemen could not attach their hoses to the plant's emergency water spigots: the threads did not match.

In the immediate aftermath of the fire, several valley papers carried a wire-service story with the facts as the T.V.A. announced them at the time. Some papers also carried, unquestioningly, the T.V.A.'s reassuring statements about the fire and its estimate that the plant would reopen in a matter of weeks. Repeated T.V.A. pronouncements that keeping the plant closed was costing its customers money in the form of substitute fuel costs were frequently treated as front-page news by many valley papers, as well as providing material for editorials supporting the prompt reopening of the plant. Among the papers whose editorial writers joined in this chorus of reassurance were *The Decatur Daily*, *The Huntsville Times* (circulation: 51,600), and the *Florence Times-Tri-Cities Daily* (circulation: 27,700). None of the editorials noted that a premature opening of the huge Browns Ferry plant might also prove costly, were there to be another accident.

Several valley editors went beyond writing editorials in their zeal to support the T.V.A. In the spring of 1975, the Tennessee River Valley Association, a businessmen's group dedicated to furthering valley development, organized a lobby to have the Browns Ferry plant reopened at the earliest possible date. Joining in this effort, Barrett C. Shelton, editor of *The Decatur Daily*, Leroy A. Simms, editor of *The Huntsville Times*, and E. Bailey Anderson, president and publisher of the *Florence Times-Tri-Cities Daily*, each wrote to the Nuclear Regulatory Agency (N.R.C.), which oversees the licensing of nuclear plants, urging the agency "to get the Browns Ferry plant back on the line as soon as possible" (as both Shelton and Anderson wrote) and requesting permission to testify on the T.V.A.'s behalf at an N.R.C. hearing. As it happened, the N.R.C., which had had misgivings about the design of the Browns Ferry power station in the first place, was harder to convince that the necessary repairs had been made. It kept Browns Ferry closed for seventeen months.

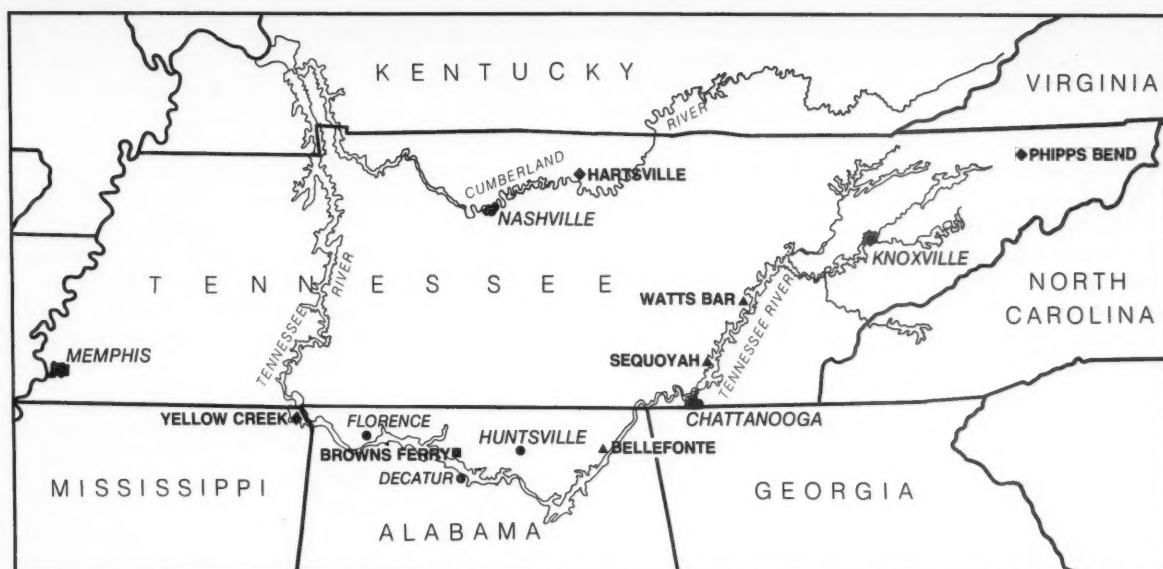
All in all — to the outsider, at least — the journalistic performance of the newspapers closest to the scene of the accident was a curious one. Where one might have expected alarm, one found reassurance. And where one might have expected strong arguments to be made for delaying the opening of the Browns Ferry plant until safety could be assured, one found repeated appeals for haste.

For an understanding of why much of the valley press tends so heartily to approve of whatever T.V.A. does, including its nuclear-power program, one must remember that this

child of the New Deal has grown into a giant. The largest utility in the country, with \$6 billion in assets, a work force of 30,000 people, and revenues from power sales amounting last year to \$1.9 billion, the T.V.A. is a powerful economic and political force in the Tennessee Valley. It has, unquestionably, done a great deal of good. Over the years, the T.V.A. helped to transform the once depressed valley into a modern economy by providing cheap electricity (its residential rates, though rising, are still a third lower than the national averages). Since the T.V.A. began providing electricity in the mid-1930s, the median income in the valley has risen from 45 percent to 75 percent that of the national average. Because this prosperity has been a major story for the last thirty or more years, and because the newspapers of the valley have shared in it, many valley editors have become sympathetic to the T.V.A. This is true of the editors of the two dailies in Knoxville, where the T.V.A. has its headquarters: William F. Childress, of *The Knoxville Journal* (circulation: 59,300), and Ralph L. Millett, Jr., of *The Knoxville News-Sentinel* (circulation: 103,300). Something more about Millett's attitude toward the T.V.A. was revealed recently when it came out that Millett allowed one of his reporters, Carson Brewer, and Brewer's wife to take on a free-lance book for the T.V.A., for which they would be paid \$10,000, and that subsequently the *News Sentinel* assigned Brewer to cover the T.V.A. beat. Millett stands by this decision and says he believes that the arrangement did not affect his reporter's objectivity. Other papers editorially sympathetic to the T.V.A. are the *Nashville Banner* (circulation: 86,700), *The Chattanooga Times* (circulation: 55,500), and the *Chattanooga News-Free Press* (circulation: 60,600). The exception among big-city dailies is *The (Nashville) Tennessean*, which has frequently criticized the T.V.A. and its nuclear program both editorially and in news stories.

One of the T.V.A.'s sharpest critics, however, is a small-town weekly, *The Mountain Eagle* (circulation: 7,000), published in Whitesburg, Kentucky, in the heart of Cumberland coal country and north of the T.V.A. service area. Probably no small-town paper is as persistently critical of the T.V.A. as is the *Eagle*, whose motto is "It screams." Sometimes the slogan aptly describes reporter James Branscome's fierce attacks on the Authority for its secrecy, its coal purchase policies, and its nuclear ambitions. But the *Eagle* is not to be dismissed for its occasional shrillness. Two years ago, it won the prestigious John Peter Zenger award for its investigative reporting, and Branscome's reporting has earned him several grants from the Fund for Investigative Journalism.

While a reservoir of good feeling for the T.V.A. accounts for much of the prevailing softness of valley coverage of T.V.A. activities, another factor has made it possible for many valley editors to endorse the Authority's nuclear power program — local pride in the Oak Ridge National Laboratories, just outside of Knoxville, where T.V.A. power helped to enrich uranium for the Hiroshima bomb and where the government maintains a large uranium-enrichment plant. Oak Ridge is also headquarters for the



Nuclear-power plants — in operation, under construction, and proposed — in the T.V.A.'s service area. (Coal-fired, hydroelectric, and other plants are not shown.)

■ Operating Nuclear Plants  
▲ Nuclear Plants Under Construction  
◆ Proposed Nuclear Plants

federal fast-breeder reactor project. In a recent interview, Childress of *The Knoxville Journal* remarked: "We in this region grew up with nuclear energy and we're proud of what it did to serve this country during the war and afterwards. I guess we don't have the same fears about it that other people have." In a similar vein, Millett of *The Knoxville News-Sentinel* said: "I don't get any real feeling within the region that there is any opposition [to nuclear power plants] other than some of the residents near them, and I question how much they are agitated by outsiders. I don't get any letters opposing T.V.A.'s nuclear plants. I do get letters opposing T.V.A. on other things."

Such comments raise the question: Have people in the valley accepted the T.V.A.'s shift to nuclear power because they have examined all aspects of the decision and found that, all things considered, nuclear power is the best answer to the valley's needs? Or have they accepted the change because their newspapers rarely present arguments against it? The latter would seem to be the case. Few valley newspapers have budged from the uncritical positions in regard to nuclear energy that they assumed in late 1965, when the T.V.A. announced that it was considering building a nuclear power plant at Browns Ferry. The press's reaction to the announcement was, by and large, to marvel at the wonders of the new technology. *The Decatur Daily*, for example, editorialized: "The thought of an ultra-modern, nuclear power generator operating in Alabama is exciting." And a *Huntsville Times* editorial asserted: "Nuclear power is beginning to roll up an amazing record. Acceptance of the new source [of energy] is at a level that only the hardest visionaries dared to predict for it only three or four years ago. . . . Even as a proposal the new plant is generating an enthusiasm that's rating high indeed. The prospect is fascinating." *The Tennessean* was more skeptical, raising the question of whether the nuclear plant announcement was,

perhaps, simply a ruse to get the coal suppliers, collectively nicknamed King Coal, to bring down their prices.

The time — or the mood, rather — just wasn't right for raising harsher questions, about the lack of industry experience with plants as large as that proposed, about the ability of power-company engineers to supervise the operations of the highly complex reactors, about government claims that problems of design, safety, waste disposal, and proliferation would all be solved. An unnamed T.V.A. engineer was quoted in *The Knoxville News-Sentinel* in late 1965 as saying, "A few months ago we couldn't even spell nuclear energy. Now, here we are, 'experts' in it." It was a telling comment, but in the context of the article, headlined **NUCLEAR POWER ROARS AT KING COAL**, it was not offered as a warning of possible dangers ahead. An extensive reading of valley coverage yields the impression that no newspaper within the region dealt comprehensively with the potential hazards of the Browns Ferry plant — until, that is, the fire broke out there in March 1975.

Even after the fire, it took time for this issue to emerge in the valley press. And then the stimulus appears to have come from the outside, when *The New York Times*, *The Wall Street Journal*, and the national television networks moved in on the story and declared the fire a major setback to nuclear power nationally. John Doty of the *Florence Times Tri-Cities Daily* and Bob Dunnavent of *The Huntsville Times* revealed that the March 22 fire had not been the first such accident at the Browns Ferry plant: a fire, started under similar circumstances, had broken out at the plant two days before the major blaze; its significance had apparently gone unrecognized by the T.V.A.'s safety officials. *The Tennessean*, the *Banner*, and *The Knoxville News-Sentinel* subsequently carried stories of their own about the March 20 fire. Thereafter, often following Dunnavent's lead, these and other valley papers wrote about the T.V.A.'s dispute

with the N.R.C. over whether the Authority would repair rather than replace the damaged cables, about the T.V.A.'s failure to have covered certain plant walls with fire retardant, and about the question of whether the T.V.A. and the state of Alabama had adequate evacuation plans for the area in case of an accident involving the release of radioactivity at Browns Ferry.

While such stories provided many important details, they failed to address the significance of the fire both in terms of the T.V.A.'s ability to design and operate nuclear plants and in terms of nuclear safety generally. One of the best analyses of the issue of nuclear safety was written by a reporter outside the T.V.A. service area — Tom Baxter of *The Atlanta Constitution*, whose thorough, four-part series on the subject of nuclear energy and the South ran in June 1975. There were other shortcomings in valley coverage in the months following the fire. When the T.V.A. raised its rates, partly as a result of the fire, valley papers did little more than carry the announcement. Outside of the area, Louisville *Courier-Journal* reporter Howard Fineman wrote a story analyzing the rate increase and questioning the need for it. Another chance for valley reporters to get into the bigger issues was missed when, in July 1975, the Atlanta office of the N.R.C. released its investigative report, which blamed the T.V.A. for the fire. The best story on the report appeared in *The Wall Street Journal*.

**A** reading of local news and editorial coverage during this period shows that many valley editors were as eager to print whatever T.V.A. officials said about the fire as they were reluctant to point out that the fire had hurt the T.V.A.'s credibility as an operator of nuclear plants and had hurt, as well, the cause of nuclear power. Thus, for example, when the July N.R.C. report came out valley papers generally used brief wire-service stories on it, but when T.V.A. board chairman Aubrey Wagner (whom the *Florence Times-Tri-Cities Daily* had elected "Newsmaker of the Year" the previous January) made statements rebutting the report, many of these papers assigned reporters to the story and gave it good play. Finally, in the months after the fire, both Knoxville papers seemed to go out of their way to stress the benefits of nuclear power. The *Journal* carried a story about a three-man panel of nuclear experts who approved of nuclear power, while the *News-Sentinel* ran a batch of stories quoting local political figures as, one by one, they voiced support for the fast-breeder reactor program under way near Oak Ridge — a program the *News-Sentinel* also supported editorially.

While the Browns Ferry fire dramatically raised the issue of nuclear safety, the T.V.A.'s \$10-billion nuclear-plant building program posed economic questions that deserved careful attention in the valley press. One was: Given the T.V.A.'s proximity to Appalachian coal and its historic ability to produce electricity cheaply through coal-fired plants, how credible was its claim that nuclear power would be yet cheaper? A second question was: How credible was the T.V.A.'s claim that doubling its giant power system by 1986 was necessary and desirable?

As of this writing, most valley papers have yet to subject

the T.V.A.'s claim that nuclear power will be cheaper than coal-based power to serious questioning. Once again, *The Tennessean* and *The Mountain Eagle* are exceptions to this rule. Both papers have repeatedly carried news stories expressing skepticism about the vaunted cheapness of nuclear power. Writing in September 1975, *Eagle* reporter Branscome observed: "While T.V.A. hopes nuclear fuel will be far cheaper than coal, the Browns Ferry plant has already cost the federal agency as much to build as the combined costs of its two largest coal-fired steam plants. . . . No one knows exactly how much these costs will raise bills in the future, but cost overruns on the nuclear program — about \$1.5 billion to date — alone will raise the basic charges from today's \$25 per 1,000 kilowatt hours (kwh) to more than \$30 per 1,000 kwh." Similarly, *The Tennessean* has aired the views of experts who claim that the T.V.A. is underestimating the true costs of nuclear power, such as Charles Roos, a Vanderbilt University physics professor who offered a detailed critique of the T.V.A.'s economic claims in testimony regarding the Authority's proposed giant nuclear complex at Hartsville, Tennessee, near Nashville. The proposed Hartsville plant, which will have four 1,200-megawatt reactors, will be the largest in the country.

Some of Branscome's articles have illustrated another way in which reporters could evaluate the T.V.A.'s claims regarding the economic benefits of nuclear power. The T.V.A.'s neighbor to the north is the American Electric Power Company (A.E.P.), a large, privately owned power system which, like the T.V.A., enjoys the advantage of being close to Appalachian coal. The A.E.P. has come to economic conclusions diametrically opposed to the T.V.A.'s. In the late 1960s, the A.E.P. ordered two nuclear plants (one is now operating, the other is under construction) because nuclear power promised to be much cheaper than coal. But in the last two to three years, according to an A.E.P. official, the A.E.P. has concluded that "the conventional economics of what costs less are no longer controlling factors" in the decision whether to go nuclear. Nuclear plants involve so many "unpredictable" factors, such as construction, licensing, and operating delays, that they appear to the A.E.P. less attractive than coal-fired plants. The A.E.P. has decided, therefore, to order only coal-fired plants for the foreseeable future. A number of Branscome's stories have discussed the T.V.A.'s nuclear claims in the light of this decision made by its neighbor. Valley reporters have yet to analyze the T.V.A. in this manner.

Another relevant story that was almost entirely overlooked concerned a major study carried out by the New York-based Council on Economic Priorities and released late in 1976. Entitled *Power Plant Performance*, the study concluded that nuclear power will be less economical than coal because larger nuclear power plants seem to be less efficient than small ones due to "chronic shutdowns for maintenance and repair," whereas equally large coal-fired plants do not have the same problems. The poor performance of the Browns Ferry plant was central to the C.E.P.'s findings, which have been disputed by some utilities and nuclear-industry spokesmen. Valley papers merely carried a wire-service story apparently based only on the C.E.P.'s



press release. One might have expected reporters to compare the T.V.A.'s efficiency claims with the figures cited in the study or, at the least, to call the T.V.A. for comment; none appears to have done either.

Of equal importance to an understanding of the nuclear power story was the question of whether all of the T.V.A.'s projected reactors will be needed within the next ten years — whether, that is, the demand for energy will or should continue to rise at same rate as it has in the past. At this juncture, the nuclear-power story interlocks with stories on rate reform, energy conservation, and other ways by which utilities can use existing generating capacity more efficiently instead of building new plants. A doubling of system capacity every ten years has been the historic rate of growth for electric power systems in the United States. But in the wake of the energy crisis, with the attendant rises in fuel costs and rates, many utilities have scaled back their growth plans. Not so the T.V.A., which claims that energy-intensive industry will continue to move into the valley and that residential demand for electricity will continue to grow.

In interviews, several valley editors agreed with the T.V.A.'s projections. Both Millett of *The Knoxville News-Sentinel* and Childress of *The Knoxville Journal*, for example, said they thought the valley would grow as fast, or faster, in the next decade as it had in the past three decades. Others disagree. In February 1976, S. David Freeman, a former officer of the T.V.A. and a nationally known energy expert, gave a speech in Nashville urging that the valley become a model for a low-growth, non-energy-intensive,

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"post-industrial" society, and that the T.V.A. should reform its policies accordingly. Freeman's speech was reported in both *The Tennessean* and the *Banner*, but the crucial issue of the need for the \$10-billion nuclear program has otherwise received little attention in the valley press.

In passing, one might add that the national press, too, could improve its coverage of the T.V.A. and its nuclear program. Washington reporters, for example, have so far overlooked the way in which the T.V.A., a federal agency, is bucking many aspects of federal energy policy. On several occasions, the T.V.A. has defied the Federal Energy Administration, which wants the Authority to experiment more boldly with rate reform and conservation, and has earned the reproach of F.E.A. officials. Moreover, the T.V.A. has fought as bitterly as any private power company against pollution-control "scrubbers" required by the Environmental Protection Agency. On nuclear matters, on the other hand, the T.V.A. is only too eager to cooperate with

the federal Energy Research and Development Agency. Statements made by T.V.A. officials about the urgency of the fast-breeder reactor project, in which the T.V.A. is leading a consortium of 741 power companies, closely echo the views of ERDA, the project's sponsor. The T.V.A.'s present tendency to downplay solar energy and other alternatives to nuclear power may become an issue when the Carter administration begins its promised revamping of federal energy agencies and of federal nuclear policy.

**T**he themes of the T.V.A. story are not limited to the valley. Power companies elsewhere make assertions of economic feasibility and future growth when they announce plans for nuclear power plants. The local press should be asking whether the plants are needed or whether rate reforms and energy conservation will obviate the need for them. And the press should constantly probe to find out whether each plant is being built and operated as safely as possible and in conformity with federal and state rules. Much of the needed documentation is provided by the Nuclear Regulatory Commission, which makes all its public documents relating to a given plant available to the public at a location near the plant. (In the case of the Browns Ferry plant, the documents are in a public library in nearby Athens, Alabama.) Moreover, there is no shortage of knowledgeable people who can interpret such technical documents, if such help is needed. Some may be found in universities, others in groups critical of nuclear power. An example is the Union of Concerned Scientists, based in Cambridge, Massachusetts, which obtained further N.R.C. correspondence about the design of the Browns Ferry plant under the Freedom of Information Act and used the documents as the basis for its devastating report on the causes of the fire. Finally, last year three engineers resigned in protest from General Electric, a major manufacturer of nuclear power plants, and a number of N.R.C. officials have resigned from that commission in protest against its policies. Such people are obvious sources for reporters interested in writing about how safely their local utility is designing, building, and operating its nuclear power plants.

That there is a need for comprehensive coverage of the nuclear power story should be obvious. The choice of whether the nation will go nuclear is only partly determined on the federal level; it is being made, as well, at the regional and local level as public utilities, such as the T.V.A., decide whether or not to build nuclear plants. Because federal licensing procedures permit citizens to object through intervening in a utility's application, the public has some say in whether their utility should be allowed to carry out its plans.

Within the Tennessee Valley region, where boosting the T.V.A. has become a habit, information on both sides of the nuclear power story has been, and remains, exceedingly hard to come by. One can only hope that valley editors will come to realize that if they want the region to become a successful proving ground for civilian nuclear power, the best attitude will be a watchful one rather than an uncritical one. One hopes, too, that regional papers elsewhere will do a better job of covering the nuclear power story when their turn comes to inform the public. ■

# CITIVIEWS

CITIVIEWS is distributed quarterly to Citicorp investors. It contains viewpoints on timely issues affecting the public interest. We believe the following may be of interest to you...

## Polar Words

There are certain peculiar words that by themselves have no meaning. They can be used only in relation to their opposites. The word "up" has no meaning apart from the word "down," nor the term "fast" apart from the term "slow." Such words are responsible for much of the confusion, and most of the heat, in human discourse.

An Assistant U.S. Attorney General, the late Thurman Arnold, used to call them *polar words* and warned against many of the traps they set for us. As commonly used, he observed, words like "justice" and "injustice" are typical polar terms:

*A reformer who wants to abolish injustice and create a world in which nothing but justice prevails is like a man who wants to make everything "up." Such a man might feel that if he took the lowest in the world and carried it up to the highest point and kept on doing this, everything would eventually become "up." This would certainly move a great many objects and create an enormous amount of activity. It might or might not be useful, according to the standards which we apply. However, it would never result in the abolishment of "down."*

In so stating, the author placed himself in peril of being found insensitive to the cause of justice — "insensitive," of course, being still another common entry in the polar sweepstakes. So, for that matter, is the term "efficiency," which is a common ideal of business but has no

meaning unless there exists something called "inefficiency." One does not become an advocate of inefficiency merely by pointing this out, although, remarkably enough, there are those who may vaguely suspect as much.

For many people, even to discuss certain words in these terms arouses a dim sense of misgiving. The reason for this reaction is that polar words are our battle ensigns, and it is our instinct to defend the flag under which we march. The words are not guides to rational decision making, nor even to winning debates. They never succeed in persuading the other side, but are primarily morale boosters for the side on which they are used. "The trick," as Arnold observed, "is to find a pair of polar words in which the nice word justifies your own position and the bad word is applied to the other fellow."

Yet most of us choose our own favorite words with no intention of being tricky or deceptive. We genuinely believe in the rightness of our cause — and therefore that only the "nice" words apply to it.

In the continuing debate over crime, for example, those who believe that the courts have become too lenient are heard to say: "We must show more concern for the victim and less for the criminal." To which another group retorts that "the criminal himself is a victim of the social conditions that breed crime." No one expects such an argument to result in a revised, rational code of criminal justice. It does help each disputant to feel that he is on the

side of the victim, which is, of course, the "right" side. Unfortunately, it is no help to the judge.

Judges are not alone. Hardly anyone in government, business or the professions escapes being regularly trapped in the cross fire of polarized debate. We all have our own checklists.

A shift in the economy may abruptly transform "investors" into "speculators," and "skinflint bankers" into "reckless lenders" of other people's money. An approaching election usually turns our "statesmen" into "politicians," and afterwards the winners must begin the slow process of rehabilitation — until next time. A widely publicized and unpopular court decision converts the lawyers' "due process" to "legal technicalities." And a "dedicated civil servant" may be converted to a "government bureaucrat" and back again several times in a single day — especially at tax time.

In an American election year, the polar words normally float on the horizon like the aurora borealis. They then subside, but never vanish. Nor should we want them to. Such words do, after all, have power to inspire. They provide focal points around which like-minded citizens can rally. They motivate change and social progress.

We would do well to remember, however, that polar words are never guides to reasonable solutions or rational goals. They can make us want to move, but never tell us where we ought to go. For this, we need a different kind of dialogue.

"Like three impressions of the same seal, the word ought to produce

the idea, and the idea ought to be a picture of the fact." So wrote Antoine Lavoisier in the late eighteenth century. Applying this precept to his own field, he sat down and compiled the dictionary that revolutionized the science of chemistry and earned him immortality as the Father of Modern Chemistry. The event is often cited as proof of what clear and careful definition can accomplish. It is unfortunate for the cause of clarity (as it was for him) that a few years later, when Lavoisier applied himself to politics, they cut off his head.

The only safety for which the objective observer can hope, perhaps, is to be reminded occasionally that words can be extremely dangerous — and especially the ones that come in pairs.

Lying between these polar battle lines is a vast and dimly lighted no-man's-land where one may occasionally encounter a fragment of fact or a particle of truth. This usually occurs, however, only when the searchers are willing to leave the magic words and rallying cries shimmering awhile in the distance, awaiting some future call to arms. The months immediately following a national election are often good times for such missions. In fact, they may be the *only* times.

It would be a shame to waste them.



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# The human impact of

By using cancer statistics in a way that seems to predict the fate of famous patients, medical reporters may cause needless distress

by T. GERALD DELANEY

**B**etty Ford and Happy Rockefeller may have prepared the way, but the news coverage of Senator Hubert Humphrey's treatment for bladder cancer represented the culmination of a trend toward candor in medical reporting. The Humphrey case was distinctive in showing that reporters and doctors are not only willing to talk more openly about disease, but are also willing to use statistical data which purport to assess the future course of the illness.

In Humphrey's case the news coverage was comprehensive, detailed, and generally accurate — good journalism by any standard. And yet, as one who was responsible for releasing medical information about Happy Rockefeller and Hubert Humphrey, and as one who believes in the soundness of the trend toward candor, I can now see arising out of the very best coverage, by the very best writers, a pair of ominous signals.

One is the grim possibility that medical news stories about a major public figure may have an adverse psychological effect on the patient, more severe in impact than when the same news is disclosed by a doctor in a one-to-one relationship. The other is the possibility that these same news stories may adversely affect the attitudes of thousands of

others whose lives are somehow linked with that of the patient. These include not only persons close to the patient who may inadvertently feed back to him or her negative attitudes, but others involved with the patient in public life who may make critical decisions on the basis of what they read. Finally, there is an invisible public of people who may be suffering from the same or a similar ailment.

With Senator Humphrey, the story began last October 4, when he entered New York City's Memorial Sloan-Kettering Cancer Center with a diagnosis of bladder cancer. The discovery of cancer was somewhat surprising because five months earlier, in May, routine examination had shown no sign of malignancy. Yet Humphrey had been troubled by bladder tumors for the past eight years, and when he was reexamined carefully in September, after experiencing irritation, pathologists identified the outlaw cells.

Four days after Humphrey entered the hospital, Dr. Willet Whitmore took out the cancerous bladder in an operation called a radical cystectomy, which includes removal of most of the plumbing below the kidneys and the construction of an artificial outlet for urinary function. The procedure was arduous and long, six hours, and carried with it a measure of uncertainty and danger. However, Humphrey's recovery from surgery was exceptional in the annals of the institution. Within three to four days, he was making his own rounds on the floor, in personal contact with other patients, trying to cheer everyone up. The hospital staff loved him.

In the meantime, pathologists were analyzing tissue removed during surgery to determine whether the cancer had spread beyond the bladder and if so to what extent. The report came back to Whitmore six days after surgery: the cancer had spread but there was no sign of spread beyond what had been removed during surgery.

Whitmore was faced with one of the most sensitive and elusive problems in the profession: cancer prognosis. He

had decided years earlier that patients have a right to know all the facts. "In thirty years of practice," he told me, "I have never had anyone who couldn't take the truth." He noted one exception — "a lawyer I still see who tells me he wishes I hadn't told him about his cancer." But not all doctors agree with Whitmore. "Nobody can take the full truth," another doctor said flatly. "It's natural for the patient to deny it — and it's sadistic for the doctor to insist on it." This doctor felt that the trend toward candor was going too far, becoming too brutal.

In any event, Whitmore gave Humphrey and his family a full explanation of the facts, not only information from the pathology report but also, at the senator's request, statistics on his chances of long-term survival. Whitmore included the facts that there will be almost 30,000 new cases of bladder cancer this year and that the five-year survival rate stands at slightly better than 60 percent. (Almost 700,000 new cases of cancer of all types are projected for 1977.) Because Humphrey's cancer had spread, he was now classified with a group whose five-year survival figure was slightly above 20 percent. Whitmore also pointed out a host of hopeful factors, including the apparent success of surgery, the exceptional vigor of Humphrey, and the fact that all prognosis is truly uncertain. Humphrey took the news grimly but calmly.

**N**ormally that would have been the end of the affair. The principle of patient privacy, which grows out of the sometimes confessional exchange between doctor and patient, is rooted deeply in medical practice and would proscribe further discussion of the matter. But obviously Humphrey is no ordinary person. Thousands of letters and hundreds of telephone calls came into the hospital wishing him well, asking about his condition. Reporters occupied a large conference room on the main floor awaiting up-to-date information. News people called regularly to inquire specifically about

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# cancer news stories

the pathology report. In effect a sensitive area of medical practice was being pried open by the press for public scrutiny — a formerly private problem of what the doctor tells his patient had acquired a public character, a social dimension.

The question was, what to say, especially in view of the public image of cancer. Humphrey had said to me earlier, "There's no point in trying to cover anything up — the truth usually comes out in the long run anyway." We decided there were three options open to us in making a recommendation to the senator. One, say nothing. Two, issue a statement and stand on it. Three, hold a press conference to announce and explain everything. We chose to recommend the second option on the grounds that it would permit us to state the facts honestly and accurately while minimizing the risk of misunderstanding.

Whitmore thought four basic points were significant and we arranged them in the following order. In condensed form they were:

- ☐ Humphrey's recovery from surgery was excellent.
- ☐ Cancer had penetrated the bladder wall and involved some of the lymph nodes (removed during surgery).
- ☐ There was no evidence of spread beyond the perimeter of surgery and therefore it was entirely possible that surgery was curative.
- ☐ Additional treatment with drugs would be given to the senator.

I gave the statement to Humphrey and explained our recommendation. He read it closely. "It's true — and it's the right thing to do," he said firmly, handing the statement back.

The Associated Press story carried a news lead that began with the fact that "cancer had penetrated the bladder wall and involved some of the lymph nodes." In paragraph six it stated that there was no evidence of spread beyond the perimeter of surgery. The U.P.I. story, in a reversal of emphasis, began with the fact that "there was no evidence of spread beyond the perimeter of surgery" and in the fifth paragraph

stated that cancer had spread. A reporter later called Sloan-Kettering and asked, "Hey, which story is right?"

Three of the country's best medical writers wrote essentially the same story. Each story was carried on the front page of the writer's own paper and through syndication reached a wider audience.

Lewis Cope of the *Minneapolis Tribune* began his story this way: "Laboratory test results announced Friday show that Sen. Humphrey's cancer had spread from his bladder to nearby lymph nodes, a finding that significantly decreases his chances for long-term survival." Cope then explained that the

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## **'Senator Humphrey read these stories and according to his doctors was visibly shaken by them'**

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survival figures were obtained from the National Cancer Institute. In paragraph seven he said that there was no evidence of spread beyond surgery. In paragraph twelve he said Humphrey was making an excellent recovery.

Victor Cohn of *The Washington Post* led with the fact the cancer had spread and then stated bluntly: "Although the surgeon said all the affected structures found were removed, cancer specialists consider such a spread an ominous sign, sharply reducing chances for survival." This was counterbalanced in the next paragraph by quoting Whitmore as saying, "It is entirely possible that the surgery has been curative." Cohn also used statistics from the National Cancer Institute.

Barbara Yunker, *New York Post*, also began her story with the fact that Humphrey's cancer had spread and then, in an unusual twist, quoted Whitmore as having said before the operation that "the rate of cure is better than 50 percent if the cancer is confined to the bladder but drops to 20 percent or less if the malignancy involves lymph nodes in the pelvic area." In the fourth paragraph

she noted that Humphrey was doing well after surgery and in the sixth paragraph that there was no evidence of spread beyond the perimeter of surgery.

All three writers led with the fact cancer had spread, all three stated at the top of the story that Humphrey's chances of survival had practically disappeared, and all three downplayed the fact there was no evidence of spread beyond surgery.

Senator Humphrey read these stories and according to his doctors he was visibly shaken by them. They clearly and demonstrably caused anguish. His wife and numerous friends and admirers also were disturbed by the news stories. A minor incident flared in Minneapolis as some people charged Cope with inaccuracy and negativism — "prophet of doom" — and in Washington Humphrey's personal physician, Dr. Edgar Berman, accused Cohn of "irresponsible, tasteless, misleading journalism." Whitmore and other physicians around Humphrey discussed the stories with the senator. They concluded that if his confidence and hope had been shaken it was most likely temporary, a momentary distress. But they also expressed considerable concern about the effects of news stories like these in general.

I turned to psychiatrist René Mastrovito, who is an attending physician on the staff of Memorial Hospital, to ask about his experience with cancer patients. He said at once that the effect of news stories on patients in general can be devastating. "My patients exhibit symptoms ranging from mildly disturbing to absolute panic," he told me. But he was speaking only of cancer patients who read about someone else's cancer, or news stories about cancer in general. I asked about the effect on public figures like Humphrey who read about themselves. "Nobody knows; there are no studies," he said. "An even more important question is the effect on people around the patient, but we haven't even touched on it."

In the absence of systematic studies, I believe a few personal observations and educated guesses are permissible. No

doubt part of the impact of these stories derives from the elementary fact that they are simply and unavoidably there, in print, for all the world to see. For example, one of Martha Mitchell's doctors, Klaus Mayer, told me that when she read of her diagnosis of cancer in the newspaper, she became first almost hysterical, then despondent. The news stories may simply deprive us of the natural tendency to deny the harsh truth, to see and hear what we want to see and hear. But what is especially interesting in the Humphrey case is that Humphrey was severely stung by the same set of facts that his doctor had disclosed to him earlier and he himself had approved in the statement to the press. This suggests there may be something in the nature of the medium itself, in the structure of the words and the architecture of the story, that subtly but decisively changes the impact of the medical truth.

The truth about a person with cancer is inevitably multidimensional, many-faceted. Every prognosis carries with it favorable and unfavorable news, information that doesn't fit into neat categories, ambiguous data, qualifying statements. Doctors make flower arrangements with the facts, not only because it is easier to tell patients good news, but because there is a larger truth in the entirety of the arrangement, in the logic of the whole bouquet.

There was no bouquet in the news stories given to Humphrey. The facts were stark, the truth unmitigated. And why not? There is little incentive in journalism for ferreting out mitigating circumstances, exercising restraint, and finding necessary qualifications. Yet Whitmore expressly made the point that, "I always tell my patients that I am sorry the news wasn't better but. . . ." The *but* is decisively important. In Humphrey's case, cancer had spread *but* surgery seemed to get it all.

This is not to say that writing about complex truths is something new to journalism. It is to say that we are dealing with a subject that not long ago was indiscreet to talk about in polite society, a word that was even deliberately left out of obituaries. To some people cancer is a phobia, a repository for free-floating anxiety. To many it represents a death sentence.

Yet a single factor emerges as most distressing to the Humphrey family and friends. That is the objective, impersonal use of long-term survival figures in a way that seems to predict the destiny of the patient. The news stories described Senator Humphrey as having a 20-percent chance of survival with the same objectivity and detachment they would use in describing the odds on a horse in the Belmont Stakes. Whitmore believes it is precisely in this impersonal use of statistics that the chief danger to patient well-being lies. Another doctor once told me that the use of statistical prognosis may be tantamount to telling the patient the alarm is set and the clock is running. "They thank you," he said, "then they have nightmares while they count the days." Mastrovito goes further and says that statistics inevitably deceive, that they appear to disclose facts which are not, in fact, facts. "I believe in a free press, but if I were the dictator I would prohibit the use of statistics," Mastrovito said.

**A** main source of misunderstanding, these doctors point out, lies in predicting the fate of an individual on the basis of the group in which he finds himself. Although a picture of group behavior is derived from many individual cases, a picture of individual behavior cannot be accurately derived from the group. It's always a guess. Hubert Humphrey's prognosis was not the same as the average of the group in which he found himself because Hubert Humphrey is not a group. He is always and uniquely himself. No individual or object corresponds exactly to the average individual or object in a mass.

Furthermore, contingency is woven into the texture of medical practice. Treatment is always based on a series of conditional events, prognosis on a long series of ifs. This is no mere theoretical construct, but is rooted organically in the uniqueness of the patient's immune system, engraved in the molecular structure of his or her cells. One of the insights of modern immunology is that our immune system plays a part not only in the origin but also in the outcome of disease. Some people die quickly from cancer. Others, with the same type of cancer, will survive and flourish for

years, even live out a full life. Hubert Humphrey's future is inescapably his own, forever unknown to us, beyond the reach of our curiosity.

The warning signals arising from the Humphrey case, I think, demand attention from the medical as well as journalism community. For the medical profession, a delicate area of medical practice has clearly been opened to public scrutiny in an unprecedented way. The profession has long decreed that prognosis will be an exclusively private affair, between doctor and patient, but the inescapable fact is there will be more individuals whose elected or appointed office will provide grounds for the press to demand information about their health and capacity to serve. The cherished principle of privacy will therefore be subjected to further strain. The glare of publicity will make short-term candor essential in order to preserve long-term trust in medicine. The trend toward candor will be irreversibly strengthened.

For the journalism community, on the other hand, a thorough study is needed to evaluate the effects of taking painful news about cancer out of its traditional context of intimacy, with built-in sensitivity for individual differences, and making that news public knowledge, a social affair, without respect for individual feelings and differences. The Humphrey case suggests that the news medium, with its peculiar way of organizing and delivering the truth, may have an immense impact on the patient, and even affect countless others. Little is known about the nature or severity of this impact, but it seems certain that a large part of it derives from the objective use of long-term survival statistics, of treating the individual as if he were a group, without acknowledging uniqueness and contingency.

It seems to me the conclusion is a 36-point caveat to the press: bear in mind the imperfect state of medical knowledge, the uncertainty of every prognosis, and the ambiguity of statistical information. Then it is more fitting to exercise restraint in using potentially painful information by qualifying the numbers, by pointing out the importance of mitigating factors, and by affirming the singularity of individual destiny. ■

# AN I.Q. QUIZ

for anyone who reports on insurance to consumers.

1. Do "Per Diem" and "Lump Sum Payment" have more to do with: (a) Chinese food (b) Southeast Asian political figures (c) insurance.

2. True or False: Flood and earthquake coverage are normally included under standard home-owners policies.

3. Does a "coinsurance penalty" cost you ten yards and loss of down?

Answers to quiz:

1. (c) insurance.

2. False. Separate coverage must be purchased.

3. So, but it could cost you thousands of dollars if you're underinsured.

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# Carter's cabinet: the

## Press appraisals of Carter appointees rarely penetrated beyond the public facade

by ROGER MORRIS

It is paradoxical that we should end up knowing more about the life and character of a Utah felon named Gary Gilmore than about the government officials who will shape our domestic welfare and national security in a new administration. That, at least, is the impression one gets from a survey of press and television coverage preceding Jimmy Carter's inauguration. The Gilmore media circus raises its own peculiar questions. But in much of the country it emphasized the gaps and shallowness in reporting precisely whom the president-elect was appointing to his cabinet and what they represented.

There were the conventional biographies of the new government. *Newsweek* showed Cyrus Vance, soon to be secretary of state, playing hockey in school and "trouble-shooting" for Lyndon Johnson; Michael Blumenthal growing up as a refugee child in wartime Shanghai and salvaging the Bendix Corporation on his way to becoming secretary of the treasury; Theodore Sorensen, Carter's since-abandoned candidate for director of the C.I.A., as a Nebraska boy who became an intimate aide to John Kennedy. Anticipating controversy, *The New York Times* and *The Washington Post* rehearsed the judicial record of Griffin Bell, the attorney general-designate. *U.S. News & World Report* devoted several pages to capsule summaries of the probable positions of the new cabinet on key issues facing the various departments. Some publications — notably *The Wall Street Journal*, *The Village Voice*, and the new *Seven Days* — probed deeper. But most of the

media reaching beyond the East Coast settled for quick *Who's Who* résumés of the appointees. (My survey included the *St. Louis Post-Dispatch*, the *Chicago Sun-Times*, *The Denver Post*, the *Albuquerque Journal*, the *Los Angeles Times*, and *The Seattle Times*, as well as national network news accounts from December 10 to January 10.) For millions of readers and viewers, the new leaders in Washington were curiously cardboard figures — born, educated, experienced, now selected to rule, and all presented with the standard clichés about their talent and drive to succeed.

Largely missing were the flesh-and-blood realities behind the résumé, the unadvertised influences of class and temperament. Most of the Carter cabinet came to their new jobs from familiar precincts: prestigious law firms, banks, corporate boardrooms, university posts. All those institutions are part of the social and economic establishment; all exert pressures on the individuals within them (especially those who reach the top), and confront them with choices between serving the public interest and the interest of the organization, between candid disclosure and expedient concealment. In each case, that background reveals something more profound about the new appointee than a mere list of credentials. Moreover, the principal members of the new regime, having served in vital if second-echelon positions in the Johnson administration, had left behind important traces of themselves in a turbulent and controversial period of government. It was not enough merely to mention that past, as most of the media did, including the wire services. To bring the new cabinet alive required a journalism that penetrated the impressive facade to portray human beings struggling, compromising, sometimes surrendering to psychological and institutional forces common in American life — and now about to bring their strengths and weaknesses to government. And if there is one overriding lesson of the last two decades in national politics, it is that those elements of personality and character can have enormous impact on public policy.

Yet for all that potential richness — whether in criticism or vindication — most of journalism seemed almost consciously to draw back from characterizing the new officials in any depth. There was a widespread failure, particularly in western papers, to examine the substance of past government service, though Vance and others had been in the thick of the Vietnam tragedy. But perhaps the most glaring fault was the neglect of what past policies and careers said about the people as people, and thus about their future performance. The abortive appointment of Sorensen to the C.I.A. was a telling example. Neither at his naming nor after his withdrawal did the media generally grasp one of the decisive factors in his downfall — that beyond the carping about his policy views or past leaks and indiscretions, there was serious doubt about a man whose life had been so shaped by unhesitating personal loyalties to a single politician or clan.

By its very essence, the role of personality in politics — what a public figure is and represents in a social or psychological sense — is a delicate, tricky subject for journalism, prone to easy abuse or subversion. There is the all too recent spectacle of the press's infatuation with Henry Kissinger, which blurred both the man and his policies. Nor does this article claim any special detachment; I came to it from an effort to do a series of profiles on the new cabinet for *The New Republic*, and neither those articles nor that magazine are immune from the criticism made here. At the same time, the reporting on Carter's new cabinet is only the most recent symptom that American journalism has a chronic problem when it comes to presenting more than the surface of people in high places in Washington and to putting government in a sharper focus in social terms. Contrast any but a handful of pre-inaugural profiles with the irreverent treatment given British politicians by journals like the *New Statesman*. It is a journalism in which cabinet members and backbenchers alike are called to account for representing this privilege or that class interest. In a re-

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# Who's Who treatment

cent profile, the *Statesman* said typically of one prominent Conservative politician, Norman St. John-Stevas:

His automatic response to the issue of privilege is that it is better that somebody has it than nobody. . . . He has no patience with the boring old "politics of envy" which he sees as socialism . . . yet, like many such people, he is surrounded by an aura of doubt as to what he stands for. . . . He would prefer the title "elitist" to that of snob (as who would not?), but would not deny a certain disdain for the whole argument and the feverish democratic promptings which inspire it.

Granted that it is hard to imagine most American journalists writing quite that pungently. But it is not only a question of style. In the U.S., men like Vance and Blumenthal enter government to a fanfare of puffery that can sound like an alumni bulletin. *Newsweek's* December 13 profile of Vance provides an apt example, starting off thus:

For years, Cyrus Roberts Vance had been biding his time. He waited out the Henry Kissinger era in a sunny, gentleman-lawyer's office on the thirty-fourth floor of a shiny black skyscraper at the foot of Manhattan. On clear days he could look out his windows and see a bit farther south than the Statue of Liberty. But he cast an image as a shadow Secretary of State all the way to Plains, Ga. And last week Jimmy Carter made him the real thing. "He was the best of the Eastern Wasp crowd," said one Carter hand. "The pick of the lot."

**R**eporting of this kind seldom states plainly that a corporate lawyer, whose adult life has been lived in the social and economic amenities of the status quo, is likely to preserve and protect those interests in public office. Content merely to list the policy views of a secretary of defense or agriculture or housing and urban development, most reporters did not go on to ask if these are the sort of *people*, whatever their policies, who would buck the system if they were blocked, who would distinguish between the public interest and their own career interests. In a more serious, penetrating journalism about people, it would be important to know

and analyze not only where they have worked, but how: what conflicts they have waged, what ends they have served, what introspection they have shown about themselves and their work.

There may be a number of powerful reasons why American journalists are not particularly good at this sort of probing at personalities. In the rarefied reaches of Washington political reporting, there is a natural and admirable aversion to crossing the boundary of sheer gossip. For many reporters and columnists, if not their more catholic editors, it seems to be a breach of seriousness (one's most precious credential, after all) to delve behind the self-image and utterances of cabinet figures. But that only misses the point where men and politics intersect most seriously — where officials behave on the public payroll very much as they have ordered their public and personal priorities up to that point.

More important than this confusion of public and private character, however, is a deep-seated aversion to writing in any case in terms of ideology or class, though both may be cynically assumed to exist and even be governing. It is among the great American myths, of course, that we are a classless society — except, of course, for those Horatio Algers who rise by sheer talent and hard work, and presumably never forget their origins. Obviously no journalist believes that nonsense, but very few are willing to examine the emergence of a ruling elite in American government, a pool of the privileged who exchange the higher posts of government with ritual regularity whatever the vote or candidate. Admittedly, the Carter cabinet has its rags-to-riches biographies — Patricia Harris at H.U.D. and Joseph Califano at H.E.W. are, perhaps, examples; the question is whether these figures and others have adopted the outlook and values of the establishment in which they have carved out successful careers. Foreign correspondents are able to dissect the social and political mythologies of a governing elite in a foreign country; reporters at home seem to have difficulty spotting the parallels, let alone the

full model, in Washington, D.C.

The common answer of the left to that failure is that journalism itself is a pillar of the system, and thus consciously (or, at best, unconsciously) dedicated to masking it. My own view is that the reality is both more simple and more banal; solidly patrician critics in Britain have no similar trouble in rhetorically undressing politicians. Much of the problem may be that the media secretly see themselves not so much a part of the game as its arbiter, able to champion or oppose this faction or that. The preference for one establishment candidate for the cabinet over another — when the two may be indistinguishable in the career and character terms discussed above — is likely to be a strict deterrent to digging into either. Thus Joseph Kraft's spirited defense of Sorensen and Richard Helms as "men I have known many years," and his matching failure (along with many others) to examine in depth their personalities or the deeper impulses of their critics. Or the more widespread refusal of the liberal press to examine the Carter appointments with the same disdain applied to the Nixon selections eight years ago. (In fact, as David Broder pointed out in a lonely column in *The Washington Post*, the two cabinets are strikingly similar in social and professional background, not to mention basic views.)

Finally, there is the old peril of Washington clubbiness. Reporters and columnists dependent on leaks, favored by access, accustomed to convention, are obviously reluctant to threaten the cozy arrangement by writing about their sources in terms that are unvarnished if not unflattering and which the culture finds harsh if not belligerent.

The irony of the failure is not only that it enshrouds government from the public, but also that it deprives the same government of understanding, and, perhaps, ultimately of compassion. A public less beguiled, less left in ignorance about the limits and frailty of its leadership might well be less inclined to disillusion and rancor when, as happens so often, a government turns out to be less impressive than its résumés. ■



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# 'An obscene, lewd, filthy, and vile

Did politics or porn inspire the federal prosecution of Al Goldstein? And should the rest of the press care?

by ROBERT YOAKUM

**W**ould Dorothy and Toto — or even the Cowardly Lion — show up one day in an illustrated article on bestiality? That specific question wasn't among those put to the jury in Wichita last year at the conclusion of a four-week trial of the publishers of *Screw* and *Smut*, but agencies of the U.S. government conspired to hold the trial in Kansas so that such horrible visions might dance in jurors' heads as they tried to reach a verdict. And, after seven hours of deliberation last June 18, the jury did find Alvin Goldstein and James Buckley (not the former senator) and their Milky Way Productions, Inc., guilty on eleven counts of mailing obscene material from New York to Kansas and on one count of conspiring to do so.

Each of the eleven counts cited a different issue of *Screw* or *Smut*, but the wording was otherwise almost identical. On such and such a date the defendants knowingly caused to be delivered by mail "an envelope containing an obscene, lewd, lascivious, indecent, filthy, and vile tabloid entitled *SCREW*, No. 257, said tabloid not being further described in this Indictment as the same would defile the records of this court, from New York, New York, to A. Fisher, P.O. Box 1531, Hutchinson, Kansas . . . all in violation of 18 U.S.C. 1461 and 18 U.S.C. 2."

For reasons we'll examine later, Judge Frank G. Theis granted a new trial on November 30, 1976, when the defendants were to have been sentenced. (Each could have received sixty years in prison, five years on each count, and fines could have reached \$180,000.) In mid-January the judge set March 1, 1977, as the date for a new trial.

Meanwhile, what of A. Fisher in Hutchinson? Will he or she be deprived of whatever literary or sexual (or, as we shall also see, political) satisfactions *Screw* provided? Not at all. Why? Because there isn't any *Screw* subscriber in Hutchinson named A. Fisher. A. Fisher, like T. Manning, W. Olson, and John Mecer are fake names that were affixed to *Screw* and *Smut* subscription forms by a New York postal inspector named Raphael Lombardi. The completed forms were sent, with money orders, to four Kansas post offices, which then subscribed to *Screw* or *Smut*. The magazines,

when received by the fictitious subscribers, were returned to Lombardi unopened.

Such covert purchases — known to postal inspectors and the Justice Department criminal division as "test buys" — have become increasingly popular following the 1973 Supreme Court decision (*Miller v. California*) giving "communities," a word not defined by the Court, more power to censor sexual material. (The four Nixon appointees and Justice Byron White ruled that sexual depictions or descriptions are not protected by the First Amendment if "average persons applying community standards" find they appeal to prurient interests, describe sexual conduct in a patently offensive way, and lack "serious" literary, artistic, scientific, or political "value.")

At the time of the indictment, in December 1974, Goldstein was not inundating Kansas with filth. *Screw*, which claims a circulation of 120,000 (and which, according to one defense lawyer, actually sells less than half that number), had only fourteen subscribers in Kansas, four of whom were postal inspectors using aliases. There was one bona fide subscriber in Wichita. *Screw* did not solicit subscriptions in Kansas and it had no newsstand sales in Kansas.

(*Smut* had neither subscribers nor newsstand sales in Kansas, and, since *Screw* was clearly the primary target, we'll drop *Smut* from the narrative for the time being. We'll also drop co-publisher Jim Buckley, who was bought out by Goldstein in April 1975, and retreated to other pursuits.)

Out of the postal ploy, the grand-jury indictment, and the month-long trial that followed, came several interesting questions, a couple of which are legally important and novel. Almost nowhere in the American press were these questions reported or commented on.

□ Was *Screw* shafted by Nixon's Justice Department, as Goldstein claims, for its political content?

□ Should *Screw*'s political comment — which is sulfurous, vituperative, and scatological — be protected by the First Amendment even though most of the magazine is undeniably pornographic?

□ Have other pornographic publications with political comment been tried and convicted?

□ Did the government's procedures in the *Screw* case constitute entrapment?

□ Is it proper for government agencies — the Postal Service and the Justice Department — to set up a New York publisher for a trial in conservative Wichita, nearly 1,500 miles away, because they do not believe they can get a conviction on the publisher's liberal home turf?

□ Should the 103-year-old Comstock Act, which bans obscene materials from the mails, be overhauled or abolished?

*Robert Yoakum is a free-lance writer and syndicated columnist.*



# lascivious, indecent, tabloid entitled SCREW'

□ To what extent are newspapers imperiled by the goings-on in Wichita? (A thirteenth count in the indictment, first upheld and then thrown out by Judge Theis, who is writing his decision on the subject, would have held publications criminally liable for reviews of obscene movies or books if the publications are sent through the mail.)

□ Is a body of law being built that can throttle other publishers? Will book and magazine publishers be required to know the obscenity standards for each state? For each of the ninety federal judicial districts? Or even for each local governmental unit?

□ Finally, the most fundamental question: should government at any level be able to prohibit consensual sale, exhibition, or distribution of sexual materials to adults?

To take up the final question ("a constitutional disaster area," as one lawyer called it) first:

The President's Commission on Obscenity and Pornography ended a two-year, eight-volume study in September 1970 with the conclusion that pornography did not cause crime, delinquency, sexual deviancy, or emotional disturbances. If pornography didn't cause emotional disturbances, however, the commission's basic recommendation did: repeal of all laws that prevent adults from obtaining sexually explicit books, pictures, and films.

**M**ost vocal of the disturbed was President Nixon who, although he did not read the report, "categorically" rejected it as "morally bankrupt." A *New York Times* editorial entitled "Mr. Nixon's Smutscreen" is worth quoting, for fun, but also because it bears on Goldstein's contention that Nixon and/or Attorney General John Mitchell were out to get him:

Mr. Nixon's intent is unmistakable. By underscoring that the commission was appointed "by a previous Administration," he has created an instant image of smut-loving Democrats. Against this caricature, Mr. Nixon promises that, so long as he is in the White House, no effort will be spared "to eliminate smut from our national life." It is he who will prevent the poisoning of "the well-springs of American and Western culture and civilization."

Billy Graham called the report "one of the worst and most diabolical ever made by a presidential commission," and by a vote of 60 to 5 the U.S. Senate rejected the findings of the "Smut Committee," as it was immediately dubbed by the press. (One of the five senators who dared to vote "nay" was then-Senator Walter Mondale, who said: "I don't believe one member of the Senate had read the report — issued just one week before and one thousand pages long. I don't believe anyone could read that report and really think it was in favor of promoting pornography.")

In 1970 there was not — nor is there now — any consen-

sus on whether the U.S. should follow the report's recommendation, but there has been one change that increasingly tilts the law toward the censors: Back in 1970 there were four men on the Supreme Court who took the "absolute" view of the First Amendment. Justices Hugo L. Black, William O. Douglas, William J. Brennan, Jr., and Thurgood Marshall all shared the view that adults should be permitted to write or read or view whatever they wanted without any ifs, buts, or whereases." These First Amendment absolutists were joined often enough by Justice Potter Stewart so that they could at least prevent the kind of decision on "community standards" that was made only three years later.

That 1973 decision and the Comstock Act were not all that was required to try and convict Goldstein, however. There could be no trial without the authorization of the Department of Justice. Indeed, the Justice Department could even now halt the prosecution tomorrow.

Here we come to a reportorial impasse: I was unable to trace the genesis of the case back to the Justice Department (I was stonewalled by the postal inspectors in New York); nor was I able to establish that the whole thing *didn't* begin on Constitution Avenue. It is easy to imagine that in the atmosphere of the Mitchell-Kleindienst period, which continued after those attorneys general left, *Screw* would present an appealing target. So Alan Dershowitz, Harvard law professor (and counsel for convicted porno actor Harry Reems) could write, "It is not surprising that the Nixon-Mitchell Justice Department — which listed pornography, but not gun control, among the five most important law-enforcement priorities — should have set its sights on Goldstein and his smut empire."

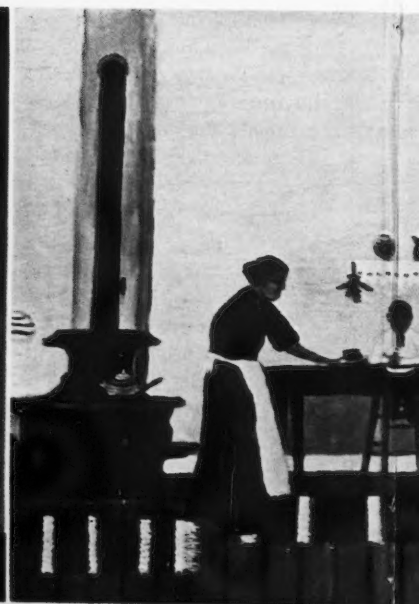
The government prosecutor in Wichita, Assistant U.S. Attorney Lawrence Schauf, a young man of stern voice and moral outlook, ridicules the idea that Goldstein was a victim of Nixon's penchant for getting even with enemies. "He flatters himself," Schauf said of Goldstein, taking the line he took in court. "There's no significant political content to this magazine." Referring to the twelve "bust issues" — the copies of *Screw* and *Smut* chosen by the prosecution to prove their case to the jury — Schauf said, "You will find one article and half a dozen sentences on politics out of those twelve issues, which are fifty pages long apiece."

Of course, it wouldn't make sense for the prosecution to pick issues that *did* have a lot of political material. And *Smut*, which uses the motto "The World's Dirtiest Newspaper," and which made up five of the twelve bust issues, has no political comment at all — just smut. But Schauf is wrong about *Screw* generally and also about the specific issues in question. In addition to the featured article in *Screw*

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No. 273, a funny, vulgar two-page parody of the Watergate tapes, there are editorials by Goldstein in each issue and they all deal with politics or the politics of sex. (Two of the editorials dumped four-letter abuse on two district attorneys who had hauled him into court, former Manhattan D. A. Richard Kuh, the man who successfully prosecuted Lenny Bruce for using dirty words on the stage, and a former D.A. for Nassau County, William Cahn, who specialized in highly publicized porno crackdowns and has since been convicted of mail fraud and sentenced to a year in prison.)

The thing to know about Al Goldstein — and the most relevant point that might be made about him in a courtroom — is that whether the subject is sex or politics, his aim is to shock. It's not easy to give the flavor of Goldstein editorials ("Screw You"), which average between 700 and 800 words, without using a lot of strong language — language which does not always add up to powerful prose. But to understand the significance of what happened, and may happen again, in Kansas, it is important to try.

Let's look at the Goldstein editorial "As the World Squirms," in *Screw* No. 291, a bust issue: "The world is in a vortex of insanity," it begins. "Truly a marathon of madness as each 24-hour interval unfolds. . . . The governments of nations and the seats of power of those nations are being run by bums, craven beasts, vermin, vultures, kooks, slobs, and misfits. And that's in the best of places."

Then he took off on "Dumbo-brained" George M. Steinbrenner III, "who owns controlling interest in the New York Yankees and pleaded guilty to making illegal corporate campaign contributions to President Nixon." Two paragraphs later he writes: "One of the recurring themes in our exploitative-capitalist system is that winners want all the credit for being winners while losers want help. The biggest bully in the airways is Pan American Airways, which three years ago fired my second wife when she wrote an article on Women's Lib for *Screw*." Finishing with "this vile, disgusting airline," Goldstein moves on to "Vice President Designee Rockefeller, squirming like a worm when he is questioned about the murder of 43 people at Attica but still defending his genocide by saying, 'The only regrets I ever have in life are things I didn't do — like buying a painting.' That this mushed-over remnant of a dead brain could be more concerned about a piece of canvas hanging on a wall than human life is an indication of the true evil of incest as practiced by the Rockefellers."

Then, before ending with a diatribe about New York's "buffoon-like cop force [whose] rate of dishonesty is close to 70%," Goldstein writes about "another reptilian manifestation of failing American life, Teamsters President Frank Fitzsimmons, who, in addition to having been bought by the Nixon Administration by their squelching of Hoffa's attempt to regain power, has also now been accused of using union funds illegally to support Rabbi Baruch Korff's campaign to keep former President Nixon in office. Fitzsimmons, who has the same spinal make-up as a jellyfish, has been rubber stamping everything Nixon has said including bombing Cambodia and Viet Nam, and the ex-Prexy's diseased approach to democracy."

But the publisher's most pungent prose in the bust issues

was reserved for, as it had been since 1968, Richard Nixon, Spiro Agnew, John Mitchell, and Nixon's appointees to the Supreme Court. It may be, as prosecutor Schauf believes, that Goldstein's main motive is money, but after reading dozens of editorials I would insist that fear and loathing of power is a close second on the motivation scale.

One reputable Midwest editor and publisher praised *Screw*, and what he referred to as "other underground papers," for their willingness to take on any subject, no matter how sacred, "and deal with it in explicit terms, without pulling any punches." And it could be argued that the words Goldstein used to describe Nixon from 1968 on were more appropriate than the more decorous ones used on the editorial pages of our daily newspapers. It was with that point in mind that the chief defense attorney, Herald Price Fahringer, quoted the following paragraph from a Goldstein editorial in another bust issue of *Screw*, No. 268:

SCREW is the newspaper that has, since its beginning, called Nixon the dangerous clown he is and only of late have our ranks been joined by the House Judiciary Committee and other conservative members of our society. So, just for the record, rather than belaboring this question any further, let me make it clear that Nixon will be out of the White House within three months and, rather than focusing on that dramatic event, my last words on this travesty of "justice" that the Nixon Administration has resulted in, are simply to remind you that, like a diarrhetic cockroach that leaves shit behind, the legacy of Nixon will still continue in our government, simply by the fact that four of the nine Supreme Court justices are Richard's turds. And, thereby, Nixon, in spite of his imminent conviction of malfeasance and dishonesty, will have still worked his warped will on the American way. That's the pity!

(As Fahringer pointed out to the jury, Goldstein was off by only two-and-a-half weeks. The editorial was published on April 22. Nixon departed on August 9.)

**A**s usual in such cases, the defense called on journalists and critics (Brendan Gill, *The New Yorker's* drama critic, for example, and Don Granger, a *Wichita Eagle and Beacon* columnist) and psychiatrists (Dr. Walter Menninger of the Menninger Clinic in Topeka and Dr. Wardell Pomeroy, a co-author of the Kinsey Reports) to testify to *Screw's* sufficiency of literary and artistic value. The prosecution called on another Menninger Clinic psychiatrist and a University of Kansas literature professor to testify that the publications were devoid of any such value.

Finally, on the crucial question of whether *Screw* carries serious social comment: If Goldstein's only aim is to make money from pornography, why does he go so far out of his way to attack not only familiar enemies like police, prosecutors, and Nixon, but potential friends and defenders, like newspapers, columnists, and reporters? The latter populate his ShitList section — which leads with a photo of the victim's head emerging from a toilet bowl — almost as often as the former.

Commenting on the paucity of trial coverage, even in New York newspapers, New York *Daily News* columnist Dick Brass wrote, "In part, it's Goldstein's own fault because for years he's been blasting the press here. Last week's *Screw*, for example, featured a composite photo of a

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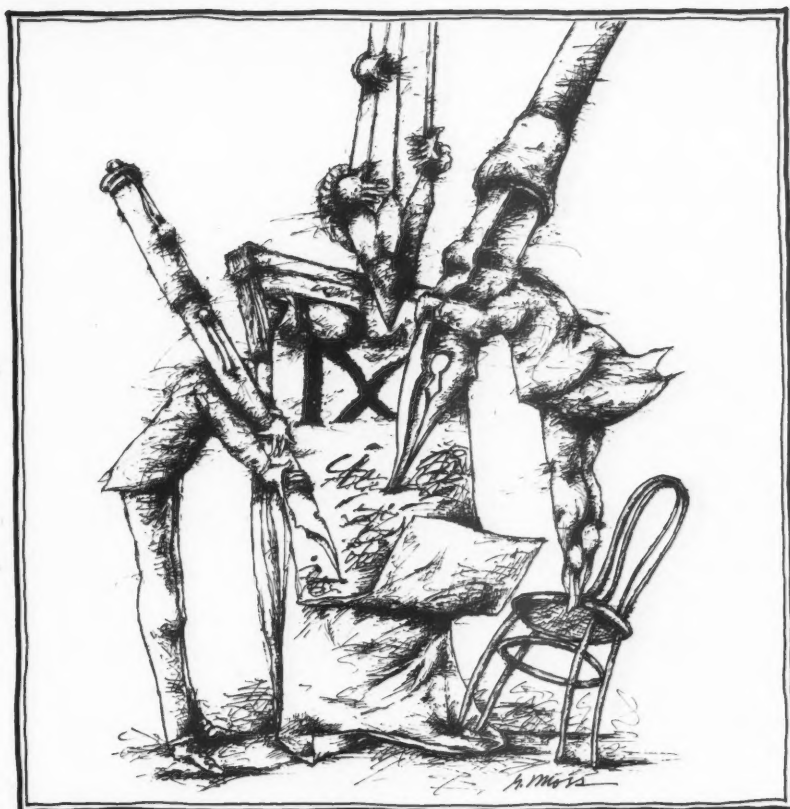
And there's more than money at stake.

There's the important question of whether all brands of a drug are the same.

The fact is that two versions of the same drug, formulated by different companies, using different inert materials and manufacturing procedures, and different quality control measures, can have different effects on patients.

Current drug standards, and their enforcement, don't adequately ensure the equivalency of differing drug formulations. The Office of Technology Assessment of the U.S. Congress has said as much. So have many scientific experts in drug therapy.

Which leads us to conclude that your doctor is in the best position



to select your prescription drugs. Only he has the knowledge of your health history and present condition as well as of the medicines that can help you. Your pharmacist and your doctor, working together, can select the best and most economical therapy. The collaboration goes on every day, and it requires no change in the law to continue and grow.

That's why we think that, while the advice of the pharmacist is an important factor in your doctor's prescribing, the final selection of the specific medication should remain in your doctor's hands.

We hope you agree.

## The Pharmaceutical Manufacturers Association

If you'd like to comment, we'd like to hear from you. Write us at Dept. CJ-703  
1155 Fifteenth Street, N.W.,  
Washington, D.C. 20005.





# "You can't tell a customer we're short of No-nox because of a foggy day in the Azores."

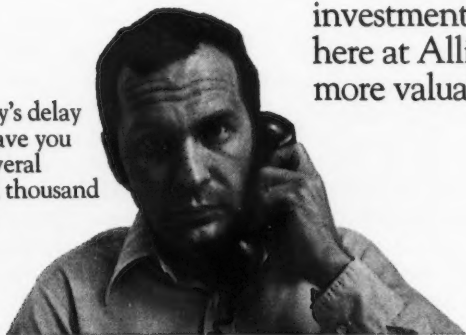
"That doesn't sound like much of a problem, does it?" says Operations Planning Supervisor Wayne Broussard. "A tanker delayed by fog."

"But for any refinery—even one as modern as Gulf's Alliance Refinery—a constant crude oil supply is essential. To meet customer demand for gasoline and fuel oil, it's necessary to have 200,000 barrels per day of crude oil supply."

## **Uninterrupted supply**

"So even if a ship's held up only a few hours,

"One day's delay could leave you short several hundred thousand barrels."



you may be short several hundred thousand barrels of crude. The whole process depends on an uninterrupted supply. So you have to talk to the transportation and supply people to make other arrangements for crude oil delivery.

"And to make sure we meet product quality specifications, you have to refine different crudes or crude mixtures in different ways. That means changing process operations and product blends."

## **People vs the elements**

"There's an enormous investment in hardware here at Alliance, but even more valuable are the

people who make it all happen. Bad weather is just one of the challenges our people meet. But every day, all year long, we maintain the crude supply to produce 200,000 barrels of products.

"It's a real challenge—but that's the job: meeting the challenge, and doing it right."



**Gulf people:  
meeting the challenge.**



"You have to refine different crudes different ways to get the same product."

New York publisher in the raw. He has accused the local media of bias, vendetta, hypocrisy, and worse. He has in print labeled this reporter a 'press parasite' who is 'embarrassing to his friends' and 'stupid.' "

All three New York papers and Long Island's *Newsday* carried brief stories about the conviction and the granting of a new trial. If "news coverage" is extended to mean an account of the issues argued during those four weeks, there was no coverage at all except for the Brass column and a column by Alexander Cockburn in *The Village Voice*. The Cockburn piece, entitled "Screw Screwed," pointed out that the Wichita conviction came four years to the day after the Watergate break-in, and then got into the question of venue, which defense lawyer Fahringer considers the most important of all. Cockburn wrote, "Wait till Abe Rosenthal has to go on trial in Anchorage, Alaska."

A. M. Rosenthal, executive editor of *The New York Times*, will probably never have to stand trial in Anchorage, and if he did, his company could afford it. (Goldstein says all costs of the trial in Wichita, including the five-week services of four lawyers, the transport and housing and feeding of staff and witnesses, and all the rest, came to about \$340,000. That figure may be inflated by \$50,000 or more, according to one defense lawyer, but the same lawyer also said that Schauf's estimate of the taxpayer's tab — between \$25,000 and \$30,000 — was "very low." The point is that the government, should it choose to do so, can quickly bankrupt *Screw*, or even a big book publisher, by selecting distant sites. *Screw* could be hit again next week in Anchorage and the week after in Salt Lake City.)

*The New York Times* appears often in "Screw You" and the ShitList. Among friendlier words used to describe the paper are "gutless" and "arrogant." Why so much venom directed at a potential ally — a publication that has often been in the vanguard of battles for press freedom?

One reason is that Al Goldstein is not Dale Carnegie. One wonders whether the idea of influencing people by winning their friendship has ever occurred to him. He attacks everyone. He even printed a nasty review recently of the first issue of his own magazine, *National Screw*.

Another reason for the intensity of his attacks on the *Times* is summed up, he says, by that paper's refusal to come to his defense, or even cover his trial, in Wichita, and by small insults, such as a refusal to permit the word *Screw* to appear in movie ad blurbs. In contrast to those signs of indifference, the *Times* ran two long stories on ties between organized crime and pornography on October 12 and 13, 1975. The second article was almost entirely devoted to Goldstein's dependence on Mafia distributors to reach New York newsstands.

Goldstein was angered not only at the contrast between the *Times*'s unwillingness to report his trial and its willingness to go all-out on his tribulations, but at the reporting itself. Nowhere did the reporter, Nicholas Gage, mention that more than a year earlier, in August 1974, *Screw*'s cover had blared, in bright red type, "Special Report: ORGANIZED CRIME IN SEX." A blue banner line above the logo read, "Parasites of Porn Exposed."

Advance copies of the article were sent to city officials,

newspapers, newsmagazines, and television stations. Admittedly, the exposé dealt primarily with ways the Mafia muscles into the porno movie business, and admittedly Jim Buckley was making a porno movie at the time, but the mob hates publicity of any kind and the *Times* should have at least mentioned Goldstein's brave — if not necessarily noble — effort to ventilate the subject the year before.

(Gage did quote Goldstein as saying that he would rather deal "with so-called legitimate distributors, but they won't come near me." Goldstein also told Gage that while the Mafia gave him greater editorial freedom than would a "legitimate" distributor who feared lawsuits, even the Mafia was not always happy with the content of *Screw*. "They say *Screw* is a sex magazine," Goldstein said, "and I should stick to that. They get mad as hell when I run something ridiculing the Catholic Church or the Pope. In fact, they don't like it when I attack anybody in authority.")

It seems only fair, since Goldstein's views are normally seen only by readers of *Screw*, and since *The New York Times*'s views are more widely available, to quote from a key paragraph from Goldstein's editorial on the *Times* series, and on its attitude toward obscenity:

*The Times* consciously, and in a well-orchestrated policy to finish off pornography in New York City and the country, has once more smeared the industry. With two articles in mid-October they did it in a very clever and manipulative way, in which, rather than dealing with the intrinsic right of pornography to exist, they strongly suggested that pornography exists only at the discretion of the Mafia. This is bullshit, and the Sulzbergers know it. Pornography exists because it fills a public and private need and because it is one of the most sane manifestations of the human condition I know of. If there are mob elements in pornography, it is simply because the so-called legitimate and puritanical elements are afraid to deal with sex in other than guilt-ridden and hypocritical ways. . . .

In the rest of the nation — apart from Wichita itself, where reporting in the daily *Eagle and Beacon* was excellent, and where thoughtful editorials appeared both in that paper and in the weekly *Sun* — there was little coverage or comment. The only other editorial I discovered was in the Binghamton (N.Y.) *Evening Press*, which came down hard on the issue of venue: "Obviously Goldstein was hauled across the country to face trial because the government was using geography as one of their weapons against him. This seems to be an unfair and dangerous practice." It then quoted that *Daily News* column about a future in which "black activists go on trial in small, white hamlets in the Deep South. Jews are indicted in areas known for antisemitism. Businessmen wind up in big labor towns. Labor leaders are tried in places where anti-union sentiment runs high."

Neither the newsmagazines nor the television networks handled the story. The wire services didn't provide enough detail to show what was at stake, but they sent out more copy than most client papers used. U.P.I., according to editor in chief H. L. Stevenson, "carried a number of stories on the troubles *Screw* magazine encountered in Kansas. A few were moved on our coast-to-coast wires, but most were confined to regional circuits." Louis Boccardi, executive editor of the A.P., also said the trial was covered on its na-

Cumberland Electric Membership Corporation is a rural electric cooperative which provides light and power for more than 37,000 farms, homes, businesses and industries in a five-county area of middle Tennessee. Cumberland averages 8.3 meters per mile of line; the national average for rural electric systems is four.



**If we don't deal now with the energy problem in its entirety, we may soon be facing an even bigger problem—how to sustain our economy and our social structures when there's not enough energy to go around.**



John R. Dolinger, manager of Cumberland EMC, Clarksville, Tenn., is president of the National Rural Electric Cooperative Association, through which America's rural electric systems formulate and espouse policies on national issues.

Nationwide, some 1000 consumer-owned, non-profit rural electric cooperatives and public power districts serve 25 million consumers in 46 of the 50 states. They own and maintain nearly two million miles of line—42% of the nation's total.



Write "View-points," NRECA, 2000 Florida Ave.,

N.W., Washington, D.C. 20009 for further information on the energy positions of the nation's rural electric systems.

**We've said it before; we're saying it again. The longer we delay development of a comprehensive national program to ensure adequate energy for the future, the more unmanageable the problem becomes.**

**The problem is multi-faceted, highly complicated. The answers aren't all that easy to come by. But in every critical situation, there's a point where debate must give way to decision—and action. With energy, we think that point has been reached.**

**In the weeks ahead, we're going to be speaking out on some of the tough decisions that must be made . . . pushing for commonsense, people-oriented approaches.**

**It is our responsibility to do so, as meaningfully and forcefully as we can.**

America's rural electric systems





tional circuits, "but my casual impression is that the story didn't make much of a splash in the newspapers."

I polled about forty newspaper editors, explaining what the trial was about and asking three questions: Has your paper carried any news stories or editorials on the trial? Have you read anything about the case before this letter arrived? Do you have any comments on this case or the law?

Reaction to the plight of *Screw* ranged from indifference ("Somehow I don't feel called upon to spring to the defense of freedom of the press on these kinds of cases" — Louis G. Gerdes, executive editor, *Omaha World-Herald*) to indignation ("Surely there is no pride to be taken in the post office department which apparently is guilty of entrapment. It would be a salutary thing for a committee of Congress to investigate this case" — Robert M. White II, editor and publisher, *The Mexico [Missouri] Ledger*).

Most of the editors had either not heard of the case at all or had seen only "brief news items" in their papers. And none of the papers had written editorials about the trial. Some of them were bothered more by possible entrapment than by a possible violation of the First Amendment:

"I must say that it seems like going to a great deal of trouble just to enforce an old law that makes very little sense in 1976," wrote a Pittsburgh editor. "However, I find it difficult to muster my First Amendment righteous indignation for *Screw* magazine. . . . It strikes me as a pretty sleazy pornographic publication, although I admit that there was some amusing material in the one or two copies I saw."

"I think the case clearly illustrates entrapment by the Federal government through its agencies involved," wrote David A. Yuenger, editor of the *Green Bay [Wisconsin] Press-Gazette*. "The comstockery of the Comstock law is obvious in this day and age." Yuenger went on to say he believes there was a middle ground somewhere. "I recognize that's the problem: my middle ground is someone else's far right or far left."

"Makes you wonder whether conviction is tainted by entrapment," wrote a Minneapolis editor. "I don't understand that facet of the law, but I sure don't like the technique."

"I spend a good half of my time on the First Amendment," wrote Benjamin C. Bradlee, executive editor of *The Washington Post*, "involving gag orders and subpoenas that vitally affect my ability to produce a product every day. I'm not so sure how much I've got left over for *Screw* magazine." The government's methods were "godawful," Bradlee concluded, "but I've got higher priorities as far as the First Amendment is concerned than pornography."

A New England editor wrote, "I believe obscenity laws can be written that do not contravene the First Amendment . . . as I believe libel laws can be written that do not contravene the First Amendment."

Editors used the word "entrapment," and in the common, popular use of that word it does describe what the postal authorities and Justice Department did to Goldstein. But according to the majority of the Supreme Court (in *U.S. v. Russell*, 1973), entrapment involves persuading someone to do something he wouldn't normally do. When a government narcotics agent, for example, sells heroin to a person who then turns around and sells the stuff to another gov-

ernment agent, it is not considered entrapment because the civilian in the middle is assumed to have a predisposition to sell heroin.

The American Civil Liberties Union has argued that a defendant's predisposition is a hazardous and uncertain measure for the law to use in defining entrapment; it is the government's conduct, the A.C.L.U. insists, on which judges and juries should focus.

"In a case like this," said Joel Gora of the A.C.L.U., "where the government is mailing obscenity to itself, it seems clear that there has been entrapment as most people understand that word. But the Supreme Court probably wouldn't agree."

(The A.C.L.U. looks on nearly all obscenity cases as harmful. "The prosecution of pornography," according to the A.C.L.U.'s national director, Aryeh Neier, "is an outrageous waste. The expenditure of a prosecutor's time in attempting to interfere with the community's taste in books, movies, or theater, is a ridiculous way of expending the public treasury. Some local prosecutors consider obscenity cases glamorous and therefore spend that much less time clearing up things like murder and rape.")

Deprived of the entrapment issue, defense lawyers in the Goldstein case made it a part of their venue argument, saying, in effect, "It's a gross violation of due process to entice us into a jurisdiction 1,500 miles from our homes in order to try us for the sale of publications that the government, almost alone, was buying."

In any case, prosecutor Schauf didn't have to worry about the entrapment issue because he had the majority of the Supreme Court behind him. The Court had also given Schauf additional powers with the 1973 *Miller* decision. And the defense wasn't challenging the constitutionality of the Comstock Act. So how did the prosecution blow it?

**S**chauf blew it by bringing up a number of extraneous and highly prejudicial issues in his summation. He said the jury would decide "the outcome of the fight between decency and specialists in degeneracy." He painted a picture of a Kansas turned into "a Sodom and Gomorrah like Times Square." He even tried to establish his own concern for local welfare by telling about a Washington agency that fined a Wichita company \$11.5 million — and how he wasn't going to force that company to pay the fine.

Defense lawyers jumped all over the summation, one of them saying that the prosecutor's reference to his role in possibly saving a local firm "was like tossing dollar bills into the jury box." Judge Theis, whose impartiality was hailed by defense and prosecution alike, was disturbed. He rebuked Schauf, pointing out to the jury that the only issues were whether *Screw* and *Smut* were obscene as defined by law and whether they had been mailed to Kansas by Goldstein and Buckley.

Judge Theis hoped his rebuke, and his instructions to the jury to ignore the prosecutor's overwrought words, would have a curative effect. But Charles Duncan, interviewing jurors after the verdict for the local ABC outlet, KAKE-TV, found that they had discussed the issues that the judge had

told them to ignore and had expressed legally illegitimate fears implanted by Schauf. Defense lawyers made much of this, and six months later the uneasy judge granted a motion for a new trial.

Judge Theis made another crucial decision at the same time. He had three possibilities: to dismiss the case, to grant a new trial in New York (where the defense had always insisted it should be), or to grant another trial in Wichita. He chose the last and a March 1 date, thereby dumping cold water on Goldstein's hopes in more than one way: Goldstein had always believed that if a new trial was delayed long enough, a Carter-staffed Justice Department would decide to drop the whole enterprise. Judge Theis may not have provided the time to find out.

No one with a perspective like Goldstein's can spend a month in a Kansas courtroom without becoming acutely aware of great differences between his outlook on life and that of the peers who will judge him. There was culture shock on both sides. The man who enjoys shocking others was himself shaken to learn that the grand jury, which returned the thirteen-count indictment in December 1974, began its deliberations each day with a prayer. The defense protested and asked that the indictment be dismissed, saying, "The exercise of any religious ritual is out of place in a grand jury room, all the more so when these grand jurors are considering evidence as to the possible commission of obscenity." Judge Theis refused, saying he found no evidence that the jury had been prejudiced by prayers.

The jury for the trial itself was so visibly upset by the magazines' contents that the defense joined the prosecution in exposing jurors repeatedly to the most offensive material, hoping, as one defense lawyer put it, "to have them somewhat inured by the time they have to reach a verdict." Most upsetting of all were the *Screw* attacks on religion, both verbal and visual. Like the Mafia, the Kansans clearly believed that no law on earth should protect obscene depictions of the sort that appeared in a two-page spread entitled "Holy Shit." ("Purloined from the purple papal vaults of the Vatican! For the first time anywhere! Exclusive photos of the erotic art treasures that turned on Pope Hippolytus. . .") Fahringer said that religious lampoons did more harm to the defense cause than anything else, "by far."

"Holy Shit" was supposed to be funny, but the jury was clearly not amused by that or anything else. However, the redeeming value of *Screw* that I would list even above its political maledictions is its sense of humor. That humor is often sophomoric, or painfully crude, or embarrassingly callous, but it is sometimes superb. One reason for *Screw*'s occasional success in this field is that it has the territory virtually to itself. To be altogether unfettered by contemporary convention is a big advantage to a satirist.

The Wichita trial is Goldstein's first federal prosecution, but he has been in court before at every lower level. His first arrest came with issue number 15, which ran an article called "In Bed with Lindsay and Mailer" by a woman who fantasized about what sex would be like with each of those mayoral candidates (she concluded that if the phone rang Lindsay would stop and Mailer would not). Goldstein says the police bust came twenty-four hours later.

Most of the arrests — and there have been ten for Buckley and Goldstein in addition to 162 for newsdealers, for a cost of \$210,000 in legal fees — were designed by police to harass *Screw*, according to Goldstein. One of the arrests, though, charged that *Screw* was harassing police: feminists had always told Goldstein that if men have all that sex available through *Screw* advertisements, why not women? Goldstein had always argued that women don't pay for sex. To test his theory, he and his staff made up a massage parlor ad in 1972. "The place we invented was called The Golden Tongue Salon," Goldstein recalled. "The ad said that there was now sex available for women, that it was a high-class place, and that it was set up in a very butch way — like a police station with male attendants all dressed in blue uniforms. The address we gave was an actual police station on Fifty-first Street. Some of the cops thought it was funny and told callers to come on over, but most of the cops were rude and we were busted."

So there we have Goldstein, once again, assaulting power. This time it was the police, but he has also done it to the Nixon administration, airlines, the press, censors, the Mafia, district attorneys, the Catholic Church, foreign governments, big business, big labor, the Supreme Court, the Justice Department, his associates on *Screw*, and even, as I said earlier, himself.

As a matter of fact, an obscenity case that could not have been used by Goldstein's defense lawyers last summer because it wasn't decided until December 24, 1976, might be more appropriate than any of these many earlier cases they did cite: In the *State of Connecticut vs. Anonymous*, the superior court overturned the lower court's conviction of a young man for "having made an obscene gesture in violation S.53a-181(a)(5), the gesture involved being commonly referred to as 'the finger.'" The superior court, in a decision that might apply as well to Goldstein's publication, which spends most of its time giving people the finger, ruled that "To be obscene the expression must be, in a significant way, erotic. It must appeal to the prurient interest in sex or portray sex in a patently offensive way. It can hardly be said that the finger gesture is likely to arouse sexual desire; the more likely response is anger. Because the charge and the proof were limited to making an obscene gesture, the defendant's conviction cannot stand."

Neither is *Screw*'s appeal directed primarily at its readers' prurient interests. It is printed on newsprint (the ink comes off on your hand), the photo captions aim at laughter rather than sexual stimulation, and Goldstein's misanthropic campaigns would distract the most prurient purist. There are dozens of slick explicit sex magazines with many times the erotic impact of *Screw*.

So why prosecute *Screw*? Was it politics after all? I asked Joel Gora whether there was any legal precedent for the prosecution on obscenity charges of a publication with substantial political content. "Well," he said, "there have been some other cases where such publications were prosecuted for obscenity, but those were different."

"In what way?" I asked.

"They won," he said. ■



# THE TRANSITIONAL STORM.

## PART IV. THE COST.

### THE FUTURE AND ELECTRIC RATES

In the last few years, consumers have been jolted by what has happened to their electric rates. After more than 40 years of steady decline, electric rates reversed their trend and started going up.

Like most everything else, they have continued to go up. And up.

The principal reason electric rates go up is that all of us, as consumers, are caught in a "transitional storm"—a gap between energy epochs. The end of the fossil-fuel age is already discernible. And the beginnings of the *future-energy* epoch are upon us.

The cost of fuels to generate today's electricity, and the cost of research and development of sources for tomorrow's, are skyrocketing.

And environmental control equipment for power plants is adding staggering new costs of its own.

### ELECTRIC RATES GO UP WHEN FUEL COSTS GO UP

Almost everyone is painfully aware that oil-producing countries outside the U.S. quadrupled the price of oil in 1973—and the U.S. now depends on foreign countries for almost 50% of its oil. The electric companies in this country, like consumers, had no immediate alternative to paying the price. Obviously, that new high price for oil was quickly reflected in electric bills.

At the same time the price of foreign oil was quadrupling, the price of domestic oil was also rising. Refining costs were going up—as were costs of exploring for new domestic oil reserves. More and more drilling was being done under difficult conditions—offshore, for

instance. Fewer and fewer wells were proving productive.

Coal prices also climbed.

Industry and other consumers of coal long before had shifted to oil or gas because it used to be cheaper; as a result, coal production had declined and technology had lagged. A sudden increase in demand for cleaner-burning coal and for coal to supplement dwindling supplies of natural gas has forced huge new investments in facilities and equipment. These circumstances have affected the price of coal, which in turn has increased the cost of electricity.

On top of all this, environmental requirements have become increasingly costly.

### WHEN ENVIRONMENTAL PROTECTION COSTS GO UP, ELECTRIC RATES GO UP

Both oil and coal produce a certain amount of pollution when burned. To remove these pollutants at the time the fuel is burned at an electric generating plant requires expensive additional equipment. The cost of this equipment substantially increases the cost of producing electricity and is reflected in electric rates.

Another alternative, in the case of coal, is to try to convert the coal to clean-burning liquids or gas before it is burned. But this, too, is extremely expensive, and at the present time is only in an experimental stage.

The electric companies fully share consumers' concerns about the environmental effects of their power plants. But the electric companies are acutely aware—as many consumers are not—that protecting the environment adds heavy costs to the generation of electricity.





### **RESEARCH COSTS ADD TO THE PRICE OF ELECTRICITY**

Still another factor behind rising electric rates is the rapid rise of research costs. Finding the new sources of energy that must replace disappearing fossil fuels is an expensive endeavor.

For example, although nuclear power plants are already in operation, many more must be built. But nuclear fission—which is the technology used in present plants—is not the long-term answer to nuclear power generation. Fission consumes the world's limited uranium resources too quickly.

So extensive research and development is needed in more advanced forms of nuclear power—in “breeder” reactors which produce more nuclear fuel than they consume; and in research in nuclear fusion that uses water as a raw material.

At the same time, research and development must go forward in other potential sources of energy—energy from the sun (solar energy), from geothermal steam beneath the surface of the earth, from the wind and the tides. Every possible source must be explored to the fullest.

All of this research and development requires billions of dollars of investment by the electric industry, the government and other related industries. All of this investment, like other investments in electric technology, must be reflected, directly or indirectly, in electric rates.

### **WHAT THE ELECTRIC COMPANIES ARE DOING TO KEEP COSTS DOWN**

Because of all the upward pressures on electric rates, the electric companies are trying to keep down those costs that are in some degree controllable. They are trying to increase the efficiency of their power plants and transmission and distribution lines. They are trying to increase the productivity of their people and

more fully automate their billing, accounting and other procedures.

### **WHAT YOU CAN DO**

There are some things that you, as a consumer, can do to help. You can help keep your electric bills lower by conserving energy in every way you can—by using your washer, dryer and dishwasher only for full loads, by assuring that your home is properly insulated, by setting your air-conditioning thermostat a little higher than usual and your heating thermostat a little lower, by turning off lights and TV whenever you leave a room.

Perhaps even more important, you can help yourself and other consumers by giving serious, practical, realistic thought to public decisions that must be made regarding energy sources and the environment.

The challenges all of us face are not easy ones. What makes the effort worth the doing is the promise at its end: that adequate new sources of energy will be found at prices we can afford; that satisfying lives need not come to a grinding halt for want of electricity; that an even more abundant energy epoch will follow the old.

This can only happen if we make it happen.

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# One huge apologia for violence?

## Violence in America

produced by Stuart Schulberg, NBC News

8 p.m. to 11 p.m., January 5, 1977

by FRANZ J. INGELFINGER

Several years ago, in a bit of investigative telecasting, Edwin Newman guided an NBC program through a documentary on medicine. As is typical of this reporting genre (does investigative journalism ever end up extolling its subject?) Newman's probe was predominantly critical. Some of the charges, moreover, hit below the belt. As might also be expected, the American Medical Association reacted with its own brand of defensive medicine: errors and exaggerations were rebutted, but Newman's appropriate complaints about the American health care system were ignored.

Now the shoe is on the other foot. American medicine has joined the widespread campaign against excessive violence — excessive in degree and quantity — on the TV screen, and Edwin Newman and NBC reacted on January 5 this year with a well-advertised but tedious "three-hour prime-time NBC news special" entitled *Violence in America*. In addition to the main program, commentary of varying length was broadcast later in the night.

By and large, the "news special" did not overtly defend the violent nature of TV entertainment. To the contrary, most of the three hours was devoted to the prevalence of violence in America: domestic brutality leading to maimed children and spouses; rape and sadism; killings and beatings attributable to socioeconomic deprivation; violence promoted by the conceit that the essence of heroism is the toting of a gun; and the depressing savagery of sports. The ac-

cusation that TV programs are part of the problem by presenting excessive violence and thus fueling the American passion for slam-bang self-expression was specifically discussed for only about twenty minutes. During these twenty minutes, however, complacent network executives and self-righteous TV-show producers managed to emphasize — repeatedly — two simple messages: "That's the way things are," and "That's what the public wants" — the "that" in each instance being violence, heaps of it and in assorted varieties. The lengthy potpourri of violent scenes that preceded these claims could be interpreted as an attempt to persuade us viewers that we are monstrously cruel, and that the fantastic fare offered by well-meaning major networks is merely giving us an honest look at ourselves; or that they, at the most, are stretching the fact a bit to accommodate the desires of the *Jaws* and *Godfather* fans. The possibility that this three-hour special was but a huge apologia for excessive violence on TV is underscored by the allegation (by the National Citizens Committee for Broadcasting) that NBC was the "leader of all networks in violence in prime time" during the fall of 1976.

Why should NBC feel impelled to mount an elaborate justification for displaying violence-ridden spectacles, a justification that must have been expensive (but also well-supported in view of the usual heavy dosing of spot commercials that punctuated the three-hour show)? Because the campaign against excessive TV violence is spreading. During 1976, the efforts of organizations engaged in the containment of TV violence, such as the National Citizens Committee for Broadcasting and Action for Children's Television, were augmented by large segments of the medical profession. The two leading general medical journals in

the country, *The Journal of the American Medical Association* and *The New England Journal of Medicine*, published articles condemning the networks' proclivity for shows featuring brass-knucks, kicks in the groin, switchblades, and Saturday-night specials. Last November, the House of Delegates of the American Medical Association endorsed the position that TV violence is an environmental hazard affecting the health of American children. Not only has the association made what might be taken as merely a pious declaration; it also acted, by granting \$25,000 to the National Citizens Committee for Broadcasting to support its TV violence-monitoring activities.

In a letter to the editor published in *The New England Journal of Medicine*, two physicians active in broadcasting health-related items on television, Drs. Timothy Johnson and Murray Feingold, suggested that "those who wish to become part of such a protest [against TV violence] write to us." The response was overwhelming: over 1,500 letters were received, all but three expressing distress at what the writers perceived as deleterious effects of TV-disseminated violence. Fortified by this response, the two doctors addressed (by letter) the one hundred leading national TV advertisers: "If so many doctors, and particularly pediatricians and psychiatrists, believe that 'the persuasive portrayal of violence on TV has a destructive influence on our society,' are you not concerned about using this means to advertise your product?" Of the one hundred advertisers approached, seventy-two answered, many agreeing that violence on TV was excessive, others disclaiming control over the types of shows sponsored or pointing out that, with only three major networks, the choice of a TV advertising medium is limited. According to the special, General Foods has led the way in not sponsoring shows that feature violence, and

*Franz J. Ingelfinger, M.D., is editor of The New England Journal of Medicine.*

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## EURAILPASS





a major advertising agency, J. Walter Thompson, has been vigorous in its disapproval of the violent character of the programs prime-time television offers as entertainment.

Although "excessive TV violence" is a phrase bandied about by the defenders as well as accusers, the core question is: "excessive" relative to what? To be sure, the amount of violence used to lend what the producers call "action" to their programs exceeds by far that to which the average viewer is exposed in real life, but the comparison is irrelevant. Fiction and drama, whatever the medium, have immemorially depended on a liberal amount of "action." The issue is whether "excessive" violence is synonymous with a "harmful degree" of violence. In other words, does television, which has become a

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**'The special  
approached the possible  
harmful effects  
of violence . . .  
in a manner that was bland,  
if not disingenuous'**

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"cradle-to-grave" medium, and which commands the attention of pre-school children for 20 percent of their waking hours, persuade its audience that violence is to be imitated, is to be used to obtain one's goals, and is the ultimate arbiter of a dispute? Most of those who have addressed these issues worry about the effects of television on children, but the thinking of adults is similarly affected. A reactionary local (Boston) pundit, for example, assures his television audience that violence on TV is not only unobjectionable, but, to the contrary, a moral force. Why? Because the good guy almost always wins out. Shades of trial by fire and the sword!

The current shibboleth in medicine is the controlled double-blind trial, a research method based on the principle that two comparable groups must be studied, with one group exposed to a certain agent and the other unexposed.

Neither the subject nor the evaluator of the effects of the exposure should know who is in the experimental and who is in the control group — hence the term "double-blind." Unfortunately, experimental techniques of this type cannot be used to determine whether or not cruel extravaganzas, such as those shown on TV, harm our people, especially the younger ones. So we must rely on anecdotal evidence (rarely to be trusted), on our emotionally conditioned beliefs, and on what we may accept as common sense. The first half hour of the special, for example, emphasized the influence on the child of his home environment; parental vituperation, physical combat, and even murder must, the special iterated by many examples, influence the child to adopt similar behavior. But why is TV excluded as a contributing factor? Can children, or even adults, really suffer irreparable scars from seeing their real-life Moms and Dads going at each other with insults, meat cleavers, or hand guns, but at the same time be immune from the effects of seeing a TV Mom and Dad attacking each other with similar words and weapons?

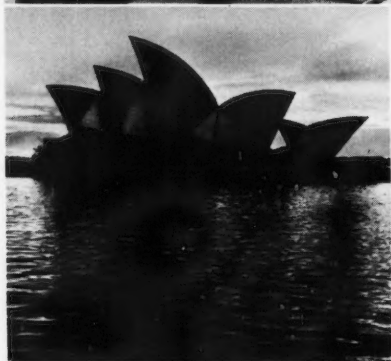
The special approached the possible harmful effects of violence on television in a manner that was bland, if not disingenuous. Newman acknowledged the problem and cited a survey in which 70 percent of respondents deplored the amount of violence on television (a *Boston Globe* survey put the figure at 95 percent), but at the same time took care to point out the paradoxical fact that violence on the stage, in the movies, and on TV is nevertheless "box office." Psychologists and sociologists who appeared on the special did not explicitly address the question of whether make-believe violence on the TV screen begets violence in real life. Rather they were concerned that a glut of TV violence might cause society to degenerate into one insensitive to inhuman behavior or one dominated by fear. Such adumbrations culminated in Newman's solemn pronouncement that "in 1972 the results of an intensive government study were released in a report to the Surgeon General," a study that found "some evidence of a causal relationship between TV violence and later aggressive behavior on the part of children." This

"cautious conclusion," Newman added, "has been accepted by most researchers in the field." What Newman failed to mention is that the Surgeon General's Committee has been criticized for having been stacked, with five of its twelve behavioral scientist members having been employed by, or having had close ties with, the television industry, which, in addition, was given the opportunity to blackball potential committee members suspected of harboring anti-TV attitudes. No, Mr. Newman, the committee's conclusions are not generally accepted; many regard them as far too cautious.

**T**he U.S.A.'s mania for violence, one has to agree, cannot be blamed entirely on Hollywood, Broadway, or the networks. One can maintain, however, that television is encouraging violence by its prevalence — indeed, its glorification — on so many prime-time network programs. Is it television's mission to exacerbate a disease of our society, or should the most pervasive of all media not accept a modicum of responsibility? If we are all to a greater or lesser extent bloodthirsty, should our most influential communications medium exploit that characteristic for no reason other than dollar profit? Or should the networks display some social responsibility in mitigating what the special itself identified as a "subculture of violence" that the impressionable may accept as the best way of solving problems?

Society is also entitled to impose limits on the amount of violence that can be broadcast on TV. Such efforts are opposed as interfering with the right to free speech, but society can and does draw lines. An outstanding example is provided by the restriction that society is now placing on recombinant DNA research. Here society is limiting to a varying extent man's search for knowledge, although no one knows whether such DNA research will be beneficial or disastrous. On the other hand, all agree that the hypothetically deleterious product of genetic manipulation, such as the creation of a microorganism of explosive virulence, must be contained. Why should society not also exercise the right to contain that much more palpable hazard of TV violence? ■

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# WORKING

## A rebuff for 'right to work'

Does a union shop — the requirement that all employees in a given unit join a union after hiring — violate the First Amendment when it is applied to news organizations? Such was the contention of the National Right to Work Committee, backed by William F. Buckley Jr. (who has conducted a long-term campaign on the matter), M. Stanton Evans, James J. Kilpatrick, Eric Sevareid, and several hundred publishers, editors, and others who attempted to place before the national convention of the Society of Professional Journalists/Sigma Delta Chi in November a resolution that stated: "Whereas no journalist should be required to contribute either his loyalty or his money to any private organization in order to fulfill his (her) First Amendment rights and professional obligations, be it resolved that journalists should not be required to join or support any labor, fraternal, professional or any other private organization in order to report the news."

The resolution's chief target, The Newspaper Guild, countered with an assiduous pre-convention mail campaign centering on the "Heywood Broun Clause" of its constitution, named for the union's best-known founder. The clause states: "Guild membership shall be open to every eligible person without discrimination or penalty, nor shall any member be barred from membership or penalized, by reason of age, sex, race, national origin, religious or political conviction or anything he or she writes for publication." The Guild further charged that the right-to-work resolution was the latest in a series of efforts by managements, stretching back to the 1930s, to exempt publishers from labor laws on First Amendment grounds.

Whatever the intellectual merits of the debate, SPJ/SDX resolved it quickly. A presidential study committee, the board of directors, and the convention resolutions committee rejected the resolution with near-unanimity. The organization saw it as divisive, because membership includes both employers and employees, and without merit, for it concluded that no First Amendment question was involved.

## A brush with the un-spiritual

The specter of a union shop briefly haunted, of all places, *The New Yorker*, during the last quarter of 1976. On October 6, The Newspaper Guild of New York advised the fifty-one-year-old weekly that the union had been invited to organize a unit among its editorial employees. (The Guild already had ten magazine contracts in force in New York City.) The union unveiled an organizing committee of twenty-two; it contained sixteen women; it did not include any of the magazine's celebrated by-lines. On October 12, William Shawn, the editor, distributed a six-page letter to the staff. He argued that the magazine might no longer be able to encourage upward mobility: "I think that a union might introduce a rigidity in the way the office functions, hinder the free flow of people from one kind of work to another, reduce the opportunity for experiment, and reduce the emphasis on the individual." He pleaded for a preservation of the magazine's "atmosphere": "There is less and less good, honest work being done in the world, and for that reason, among many reasons, it is important that the magazine hold to its own course and its own ideals. . . . [I]n a period in which so

much of life is debased and corrupted we are trying, I believe, to do something of spiritual value. I look upon our effort with awe and gravity. *The New Yorker* is strong, but at the same time it is fragile. For everybody's sake, I hope we will do nothing to hurt it."

The Guild withdrew its petition for bargaining rights on November 22. It termed the withdrawal "strategic," not permanent. It may be wondering how to deal with a management weapon it has rarely faced before — grandiloquence.

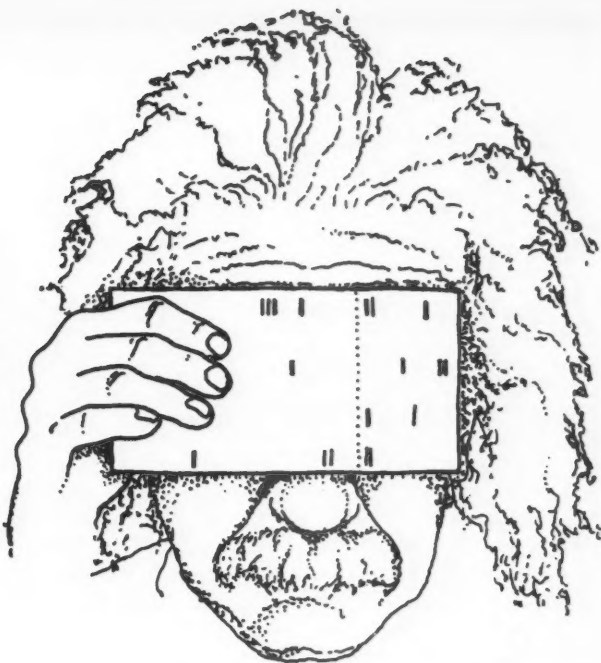
## Another male enclave besieged

Women employees at *The Detroit News* became the latest in the parade to file discrimination charges when they entered complaints on December 30, 1976, with the Federal Equal Employment Opportunity Commission. The roll of grievances was familiar — discriminatory hiring, salaries, assignments, working conditions, and chances for promotion. The complaints were supported by The Newspaper Guild and the American Civil Liberties Union. In its story on the matter, the *News* did not go into great detail (and issued formal denials), but the competitor *Free Press* printed a story that said that the *News* had no women reporters in its Washington bureau or on its business news staff, and no women editorial writers or photographers; moreover, the story said, the city room had only one female general-assignment reporter. The complainants charged that when the paper filmed a television commercial in the city room, it had had to recruit women from other departments to pose as reporters.

The complaint joins others entered against major organizations since passage of the Equal Employment Oppor-



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Reprocessing provides another plus. By significantly reducing the amount of highly radioactive nuclear waste, the need for storage locations is lessened—an environmental as well as economic benefit.

But Barnwell is idle. It can't get started until the government clarifies its position on nuclear fuel recycling.

Barnwell can establish that effective safeguards can be maintained over the plutonium contained in spent fuel. In doing so, it will go a long way toward providing an answer to the problem of international nuclear arms proliferation.

Recent surveys show that a majority of Americans favor more nuclear power plants. Barnwell is the key to proving that reprocessing can help make nuclear power the choice of the future—an economical, safe and environmentally acceptable answer to America's need for electricity.

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tunity Act in 1972. A suit against *The New York Times* filed in November 1974 remains in a preliminary, jockeying stage. The Equal Employment Opportunities Commission largely cleared *Newsday* in September 1976 of charges filed in 1973, in part because the paper had instituted an affirmative-action program in 1974. A third such suit was filed by sixteen women employees of NBC against their employer, its parent corporation, its local outlet, and six unions. This suit has provided the most concrete result to date — a prospective settlement of \$2 million and changes in NBC's hiring and assignment policies.

## Schooling for the mature journalist

So-called mid-career programs for journalists are generally offered to young professionals in the first decade of their working lives. Despite obvious benefits both to the individual and to news organizations, the growth of such programs has been slow. Employers have tended to look at an educational leave as simply a year lost out of the employee's working life; they fear as well — often with justification — that the year will be used to find a better job. Moreover, funds have been scarce in the 1970s after comparative affluence in the 1960s. But the 1977-1978 academic year offers the broadest opportunities in years for journalists seeking campus-based programs. Considerably more than a hundred awards are available, with stipends and benefits worth more than \$1 million. The tabulation here lists information from a compilation by the professional relations committee of the National Press Club, Washington. The full N.P.C. list also includes non-campus fellowships for journalists, such

FELLOWSHIPS FOR JOURNALISTS					
Fellowship	Number offered	Length	Amount	Field	Deadline
<b>Herbert J. Davenport Fellowships</b> , Business Journalism Program, University of Missouri, Columbia, Mo. 65201	15	4 weeks	\$500, tuition & fees	Economic reporting	March 15
<b>Sloan Foundation Fellowships</b> , Princeton University, Princeton, N.J. 08540	8	1 year non-degree	75% of salary	Economic journalism	March 15
<b>Lucius W. Nieman Fellowships</b> , Harvard University; Nieman Foundation, 48 Trowbridge, Cambridge, Mass. 02138	20	1 year, non-degree	Tuition & stipend	Chosen by fellow	February 1
<b>National Endowment for the Humanities Fellowships</b> , 3564 LSA Building, University of Michigan, Ann Arbor, Mich. 48104; or C-3 Cypress Hall, Stanford University, Stanford, Calif. 94305	24 in 1976-77	1 year, non-degree	Tuition & up to \$1,500 a month; \$250 a month travel	Chosen by fellow	April 1
<b>Journalism-Law Fellowship</b> at Yale University; Ford Foundation, 320 E. 43rd Street, New York, N.Y. 10017	5 in 1976-77	1 year, degree	Tuition & stipend	Law studies	Feb. 15
<b>Energy Affairs Fellowships</b> (American Petroleum Institute), C-3 Cypress Hall, Stanford University, Stanford, Calif. 94305	4	1 year, non-degree	Tuition & up to \$1,500 a month	Energy sources, economics, social values	Sept. 1
<b>Walter Bagehot Fellowships</b> , Graduate School of Journalism, Columbia University, New York, N.Y. 10027	10	1 year, non-degree	Tuition & \$13,500	Business & economics	July 10
<b>Jefferson Fellowships</b> (University of Hawaii), East-West Center, Honolulu, Hawaii 96822	10 (1 from U.S.)	16 weeks	\$2,200 & fare	Pacific area studies	August 1
<b>Hughes Fellowships</b> , Stonier Graduate School of Banking, Rutgers University, New Brunswick, N.J.		2 weeks	Tuition, expenses, \$200	Business, financial writing	March 1

as the Alicia Patterson Foundation Fellowships for travel, as well as programs in which journalists compete with people from other fields, such as the Rockefeller Foundation Humanities Fellowships. Copies can be obtained from the National Press Club, Washington, D.C. 20045.

## Right the first time?

*From Wireport (publication of the Wire Service Guild), November-December 1976:*

The Hearst Headline Service moved a story about UPI's 40-minute beat on call-

ing the election for Jimmy Carter. It included the paragraph:

"The television networks invested millions of dollars on elaborate computerized tabulating equipment, flashing maps, high-priced demographic analysts and million dollar anchormen, and they were beaten soundly by a group of overworked, underpaid and unheralded newsmen from United Press International."

Later Hearst sent out a Mandatory Kill. The advisory changed "overworked, underpaid and unheralded" to . . . "group of hardworking, seasoned and unheralded newsmen." J.B.

# The Great Health Care Stakes

Odds favor higher medical care costs if prescription drug prices are arbitrarily cut. A gamble? Yes, considering the following:

**Drugs markedly reduce the costs of hospitalization, surgery, psychiatry, intensive care, and other forms of health care.**

**Examples:**

1. Polio vaccines eliminated iron lungs, lengthy hospital stays, and saved thousands of potential victims.<sup>1</sup>
2. Since drugs to treat mental illness were introduced, the number of patients in mental hospitals has been more than cut in half: from 558,000 in 1955 to about 225,000 in 1974.<sup>2</sup>
3. Antibiotics save millions of lives and billions of health care dollars.<sup>3</sup>
4. Drugs that cure tuberculosis closed most sanatoriums.<sup>4</sup>

**The stakes are these: new drugs to fight cancer, viral infections, heart ailments, psychoses and other diseases. But —**

- New drugs come only from research, a very sophisticated form of roulette.
- Most new drugs are discovered by U.S. research-oriented pharmaceutical companies<sup>5</sup>
- Their research funds come from current prescription drug sales.
- For every drug that's a winner, there are thousands of other

promising chemical compounds that never make it to the gate.

- Cutting drug prices arbitrarily is a sure-shot loss for research investment.

**What may be gambled away is much of the future progress in health care for the sake of short term savings.**

Dr. Louis Lasagna, a leading clinical pharmacologist, puts it this way:

"It may be politically expedient, for the short haul, to disregard the health of the United States drug industry, but its destruction would be a gigantic tragedy."<sup>6</sup>

**One last point:** Between 1967 and 1975, according to the U.S. Bureau of Labor Statistics Consumer Price Index, the cost of all consumer items rose 61%, and medical care costs increased 69%, while prescription drug costs increased only 9%.

1. *Pharmacy Times*, March 1976, pp 36-39.

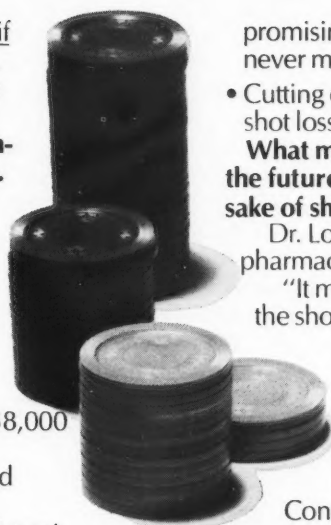
2. "Health in the United States," U.S. Department of Health, Education, and Welfare, 1975, p. 40.

3. National Health Education Committee, "Facts on the Major Killing and Crippling Diseases in the United States," 1971, p. 5.

4. Lambert, P.D. and Martin, A. (National Institutes of Health), *Pharmacy Times*, April 1976, pp 50-66.

5. deHaen, Paul, "New Drugs, 1940 thru 1975," *Pharmacy Times*, March 1976, pp. 40-74.

6. Lasagna, L., *The American Journal of Medical Sciences*, 263.72 (Feb.) 1972.



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# CHRONICLE

## New York's colorful new daily

On the last day of the old year, New York City got a new newspaper, *The News World*, which bills itself as "New York's oldest color daily newspaper." (It runs several pictures and full-page ads in full color while the rest of the city's press remains largely black and white.) A statement of editorial policy that appeared in the first issue listed ten goals, three of which were: "to pursue the truth and to check the validity of news, and to report such news with accuracy, love, and understanding; to represent the desire of God in restoring his Kingdom on the earth, eliminating poverty, famine, plague, tyranny, and injustice; and to fear none, save God." If there is a churchly tone here, the reason is that *The News World* is financed by the Rev. Sun Myung Moon's Unification Church International.

As for the paper's content, much of it consists of U.P.I. and Reuters stories, with the rest of the news hole being filled with staff-written articles and contributions by conservative journalists. The press, which has not been tender in its treatment of Moon, is a frequent subject of criticism.

On January 10, a cartoon attacked *The New York Times* and *The Washington Post* for criticizing President-elect Carter's choice of Griffin Bell as attorney general; on the same day, the paper began publishing a five-part article by Victor Lasky attacking the credibility of Bob Woodward and Carl Bernstein's reporting in *The Final Days*. In a January 21 editorial entitled "An appreciation of Sun Myung Moon," publisher Dennis F. Orme took a swipe at the media, writing:

We need to build a world of love and beauty. This beautiful man [Moon], of such warmth and dignity, has noticed the vicious and debased attitudes of the media. He has

helped us answer in another way, by creating a more beautiful and harmonious media [sic]. He has helped to give a lot of youngsters the opportunity to create a newspaper free from the bigotries of bygone years.

On January 27, *The News World* devoted its entire editorial page to an attack on *The Washington Post*, mainly for that paper's having accepted advertising from "Kim Il Sung's vicious regime" in North Korea.

There is also an abundance of feature articles — on Yellowstone Park and tourism, on Canada, on Caribbean art, on the art of mothering, and on ginseng, a medicinal root. (Tong Il Enterprises, which claims to be "the largest U.S. importer of Korean ginseng," has advertised regularly in *The News World*; indeed, a large ad for the firm appeared directly beneath the feature article on ginseng. According to Allan Wolper, who has been investigating Moon operations for *The Soho Weekly News*, the two men who head Tong Il Enterprises, Takeshi Furuta and Takeru Kamiyama, are close Moon associates.)

The paper's original price, twenty-five cents, was reduced in late January to ten cents.

## The Daily News looks homeward

The *Chicago Daily News*, the city's only surviving afternoon newspaper, spent 1976 celebrating its hundredth anniversary, but began 1977 by trying to find ways to stay alive a hundred years more, or even five. One early step under the new editor in chief, James F. Hoge, Jr. (who also edits the *News*'s morning sister, the *Sun-Times*), was to recall the four remaining full-time correspondents of the Daily News Foreign Service — two to Chicago, two to Washington. The *Daily News* now intends to rely on purchased services, part-timers, and

staff reporters on special assignment.

The recall marked still another decline in the scope and variety of foreign-news coverage available to American readers. But the loss of the Daily News Foreign Service was particularly disturbing in view of its past durability and achievements. Founded by Victor F. Lawson, publisher of the *Daily News* and the *Record* in 1898, partly to counteract the colorlessness of agency copy from overseas, the service soon scattered eighty-five or ninety correspondents around the world. Yet over the long run the C.D.N. symbol became associated more with excellence than with numbers. It gained part of its reputation in World War I on the reporting of Paul Scott Mowrer, Raymond Gram Swing, and Edward Price Bell (a middle name was *de rigueur* in those days). In the time between the wars, both Paul Scott Mowrer and his brother, Edgar Ansel Mowrer, won Pulitzer Prizes for coverage of Europe; John Gunther manned one of the bureaus. In 1951, Keyes Beech and Fred Sparks shared a Pulitzer for reporting from Korea.

But in 1976 the judgment of the home office was that maintaining expensive foreign bureaus — the service was estimated to be costing the paper half a million dollars a year — would not help the troubled *Daily News*. Like many other afternoon papers in large cities, it has had to contend with declining advertising and circulation. Aided by research from Frank Magid (the consultant of "happy news" fame), and others, Hoge began to edge away from hard news and "public sector" coverage toward interpretation and "private sector" information — advice, how-to features, entertainment, the arts, "life-styles."

In the Washington bureau the focus was changed from spot political coverage to a "what it means to you" approach. That bureau took on more consumer and financial reporters, as well as two of the reassigned correspondents.

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The two others were placed on a new team of Chicago-based reporters brought together to provide background and interpretation of major stories.

In a staff memo that genteelly echoed *The Detroit News's* much-publicized recent decision to court affluent suburban readers, Hoge emphasized that the move toward middle-class service information does not mean the paper will ignore the afflicted. But "we should address such problems as they affect and concern our middle class readers — what can they do to help and how are their lives and welfare affected by decay at the bottom of the social order?" Instead of chasing insignificant breaking stories, Hoge said, "describing events and on-going situations and explaining their meaning, relevance and significance should be the most constant impulse of the *Chicago Daily News*." Hoge ended his staff memo, "If we do this gig right, it ought to be a hell of a lot of fun." *Gary Cummings*

## Wrong turns at The Hartford Times

*In the January/February issue, "Chronicle" carried a notice on the closing in October 1976 of The Hartford Times. Here a former Times staff member adds details on decisions which he believes led to the paper's end.*

Many observers believe that Hartford didn't have to become a one-newspaper city. In income, education, and retail spending, greater Hartford is a better-than-average market. Community leaders in the state capital city often said they liked having more than one source of printed news. Many readers purchased both papers — the morning *Courant* and the evening *Times*.

Like all afternoon dailies, the *Times* faced increased competition from television news beginning in the late 1950s. In addition, the *Times* was hemmed in by growing afternoon dailies in communities within twenty miles of Hartford. The *Courant* faced no direct morning competition in greater Hartford.

For many years after he purchased the *Times* in 1928, Frank E. Gannett left the

paper in the hands of local publishers and editors, who had bluntly told him they didn't like the idea of an outside owner. That was all right with Gannett, so long as the *Times* thrived. The first sign of change came in 1953 with the retirement of a long-time publisher and editor, Francis S. Murphy, a strong community leader widely known as "Mr. Hartford." Four years later, Gannett died, and his successors began to pull in the reins. In 1962 they shipped in the first of a series of outside editors and publishers. They ordered changes that infuriated readers and led, eventually, to a sharp decline in circulation. The three biggest mistakes may have been the decisions to limit the *Times* circulation area, to cut back on local news coverage, and to launch a Sunday newspaper.

The *Times's* circulation was almost twice that of the *Courant* when its rival launched its campaign in 1950 to become a statewide newspaper. In fifteen years, the *Courant* more than doubled its circulation, and passed the *Times* in 1965. For a while, the *Times* tried to compete by opening bureaus in outlying towns, but the editors and publishers sent in by headquarters concluded that it was too expensive to cover news and deliver papers in marginal circulation areas. One of these editors said that the *Times* should concentrate on an area "within the shadow of the Travelers Tower" (Hartford's tallest structure). Bureaus closed; circulation fell.

An even more costly mistake, many believe, was the decision to drop intensive coverage of the towns immediately around Hartford. Hoping to appeal to the sophistication of readers, the Gannett team tried to turn the *Times* into a daily magazine with heavy emphasis on analysis and with features on regional problems. The trivia of local coverage — club announcements, meetings, calendars — was left to the *Courant*.

Another costly mistake was the decision to launch a Sunday newspaper, in a slot the *Courant* had occupied for decades without challenge. The *Times* commissioned Louis Harris to survey the market; the results were negative. Nevertheless, Gannett headquarters in Rochester approved a go-ahead. The Saturday paper was dropped, and the

Sunday edition started. The editor believed that a bright, crisply written newspaper could challenge the fat, dull, unchanging Sunday *Courant*. To promote the new paper, which was put out with no additional staff, the *Times* almost gave it away; the newsstand price was fifteen cents and home subscribers got it free.

Reader habits proved too strong; the new paper flopped in both circulation and revenue.

Next, Gannett began looking for a buyer, but not until 1973 did the chain arrange to sell the *Times* to the New Haven Register Publishing Company.

Within days of the sale, the purchaser, Lionel Jackson, found that he had been conned. Gannett's last publisher in Hartford had falsified circulation figures in a scheme that involved creation of a dummy corporation to conceal the deception. The publisher later admitted that he had counted as paid circulation newspapers given away in promotional drives and stolen from street-corner boxes. Actual paid circulation turned out to be 10,000 to 20,000 less than Jackson had been told. Jackson was not the only victim; advertisers were furious.

During court proceedings, it also was disclosed that Gannett had been charging the *Times* \$332,000 a year as a fee to help support the headquarters operation; the fee was listed as an operating expense. One witness said that the *Times* would have made money in three of its last four money-losing years if the fee had not been assessed.

On top of other problems, the national economy slumped after Jackson purchased the *Times*. As circulation and advertising dropped, he slashed the number of editions, fired employees, closed the remaining bureaus. At last he tried to sell to the *Courant* for \$5 million (a \$2 million loss), but the deal was blocked by the U.S. Department of Justice. When Jackson finally closed the doors of the *Times's* historic building, Boston was left as the only New England city with competing, separately owned newspapers. Gannett, it appears, has learned its lesson; the chain now owns seventy-three papers — none with open competition. *Bill Williams*

# BOOKS

## **The Newspeople: A Sociological Portrait of American Journalists and Their Work**

by John W. C. Johnstone, Edward J. Slawski, and William W. Bowman.  
University of Illinois Press. 257 pp. \$9.95

In the "elite" news media (and these are defined to include wire services and some TV news departments as well as numerous leading dailies) the "managers" are politically farther to the left than the "workers." The opposite situation prevails in the rest of the industry.

This is one of the findings of the first comprehensive survey of the journalistic work force undertaken in the United States. It is based on extended interviews with 1,313 journalists — a random sample of salaried, full-time editorial personnel in daily and weekly newspapers, wire services, news departments of broadcast media, and periodicals concerned with public affairs. The interviews were conducted in 1971 by the National Opinion Research Center of the University of Chicago. The research was funded by the Markle Foundation.

If you want to know the median age or income of American journalists, where and how they were educated, what they like and don't like about their jobs, how many belong to professional organizations, which news media they think are doing the best job, and dozens of other particulars (all as of 1971, of course), this is the place to look.

The authors present the survey results conscientiously, using many cross-tabulations, as well as factor analysis and multiple regression analysis where appropriate. Most of the book reads like a reference volume: solid information but no unifying thread. There are also two more readable chapters — one on the underground press, the other consisting of general conclusions from the study.

Several prognostications deserve con-

sideration by media executives. For example, large news organizations as now constituted may lose the services of their most talented young journalists, many of whom are chafing at the organizational constraints under which they work.

All in all, a useful addition to the library. But why did the authors wait five years to publish the survey results? Much has changed since 1971.

W. Phillips Davison

## **The Investigative Journalist: Folk Heroes of a New Era**

by James H. Dygert. Prentice-Hall.  
282 pp. \$8.95

Once past the ungrammatical title and such breathless chapter headings as "The Best in the Big City" (an inflated view of reporters at work in the least-investigated metropolis in the country, New York), "Little Giants," and "Up-and-Coming Young Tigers," there are a few rewards here for the general reader. This account of the work of scores of investigative reporters reveals something of their attitudes and work habits. For the journalist, the book has some value as a source of local reporting ideas, but it is too short on technique and too long on adulation for sustained, serious reading.

Dygert hints at some of the debates in the field, such as the shadowboxing between the "soft goods" and "hard goods" dealers, the reporters who deal primarily in human sources (leak experts), and those who turn to records and documents (the professed "real" investigative reporters).

By focusing on individuals, the author slights themes. Only by a careful reading do we know that this kind of journalism is actually rare in the American press, and that it is doubtful whether it often touches the systemic sources of the persistent corruption that its practitioners expose.

Melvin Mencher

## **Communication and Cultural Domination**

by Herbert I. Schiller. International Arts and Sciences Press. 127 pp. \$7.95

In this interesting, if somewhat polemical study, Professor Herbert I. Schiller has extended his explorations of the dangers of cultural subversion by "large, capitalist communication systems," which he began in his two previous books, *Mass Communications and American Empire* (1970), and *The Mind Managers* (1973). Taken together, these three volumes constitute a potent attack on international domination by American mass culture, as disseminated by large, multinational communications organizations. Not surprisingly, Schiller's work is highly regarded in Europe and South America, while being virtually ignored in North America. Schiller does tend to be his own worst enemy, for he lessens the credibility of his provocative data by using rhetoric more suited to the late *Daily Worker* than to an objective examination of what is, after all, a most important international problem. Phrases such as "class conflict," "conflict between contending groups, the working class against the property-owning class," "utilization to the hilt by the dominating class," "controlled by or represents the dominating class" all in one paragraph (p. 68) can only create an impression of ideological bias at its worst.

It is unfortunate, for hidden behind the bombast lies an important message for those concerned with the problem of international communications and the ramifications of new communications technologies. Schiller makes a strong case against the ideological orientation of such concepts as "free flow of information," and the imposition of "Western communications technologies." The book explores the possible alternatives to these technological applications and examines the emergence of national

communications policies as one such counter measure. This is an important essay, marred by excessive Marxist jargon, and a curious absence of any reference to the extent of communist contributions to the same general problem.

GARTH JOWETT

Garth Jowett is chairman, *The Centre for Canadian Communication Studies, The University of Windsor, Ontario.*

### The Manipulators: America in the Media Age

by Robert Sobel. Anchor Press/Doubleday. 458 pp. \$9.95.

There is a need for a good, readable history on the growth of America's media environment in the last century. Sobel's effort meets only a small share of that need. He is sporadically effective in describing the genesis and enlargement of such major communications institutions as networks, film conglomerates, and newspaper groups, and has interesting sections on the role of government and

war in advancing techniques of persuasion and propaganda.

For the rest, the reader is hard put to find shape or focus. At the start, Sobel suggests that the United States has fallen in the twentieth century under the excessive influence of a class of "mass intellectuals" produced by universities and operating the machinery of mass communication. But he does not pursue the thesis, and instead settles into a lumpy chronicle devoted in part to media history and in part to higher education (which, the dust jacket tells us, is "itself a form of showbiz"). Further, the chapter divisions are unclear. This is a book that is difficult to use, either for reference or for understanding.

J.B.

### Even the Gods Can't Change History

by George Seldes. Lyle Stuart. 352 pp. \$10

In this latest work, published in his eighty-sixth year, the author of the landmark *Lords of the Press* (1938) reviews the performance of the daily press

from World War I to the present. He concludes that while much has changed for the better (*The New York Times* now has Seymour Hersh and an Op-Ed page), a paucity of Watergate coverage indicates that most of the nation's 1,750 dailies remain conformist. As a corrective, he proposes formation of an independent newspaper (presumably an expanded version of his own *In Fact*, red-baited out of existence in 1950) to be financed by a wealthy member of the "liberal left" or by a foundation. Short of that, he urges that foundation money be given to the *Columbia Journalism Review* and *More* magazine for expanded operations. These are worthy notions, but they don't fully address what the author's own analysis indicates is the basic problem of the American press — the contradiction between a search for truth and the production of news for profit.

LAWRENCE PINKHAM

Lawrence Pinkham is director of the journalistic studies program, University of Massachusetts at Amherst.

## On spreading the word



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# UNFINISHED BUSINESS

## Coming up roses

TO THE REVIEW:

James McCartney in the January/February *Columbia Journalism Review* ["The Triumph of Junk News"] writes:

"In one of those [Rose Garden] ceremonies Ford signed a so-called 'sunshine' bill, designed to create a more open federal government. It was a bill Ford had not supported in Congress. But the picture presented on at least one of the network shows (CBS), along with Ford's words, created the impression that he was the father of the legislation — which, if Ford had prevailed in Congress, would never have been passed."

I don't know where McCartney got his impression. CBS correspondent Bob Schieffer, who covered the story, never gave it.

What Schieffer did say was this:

*Bob Schieffer:* As part of the strategy stressing that he is the incumbent, Mr. Ford goes to the Rose Garden almost daily now to sign legislation. Today's ceremony — to sign a so-called sunshine bill, which forces the government regulatory agencies to reduce the amount of business they conduct in secret. In public remarks before the cameras and microphones, Mr. Ford had nothing but good to say about the bill.

*President Gerald Ford:* I strongly endorse the concept which underlies this legislation that the decision-making process and the decision-making business of regulatory agencies must be open to the public. This afternoon I am delighted to sign this legislation and to re-affirm that heritage and let the sunshine in.

*Schieffer:* That was the public ceremony, but a few minutes later the White House issued a written statement in which Mr. Ford said that while he was for the legislation, he had serious reservations about parts of it. Strengthening the Freedom of Information Act, as this bill does, he said, could cause an invasion of privacy for some Government employees. He said other parts of the bill were unnecessarily rigid, could prove burdensome to the Government, and would probably have to be modified later on by new laws. There was no explanation here as to why the President did not spell out all of this in the public ceremony. . . .

It would be useful if your readers could read this transcript and decide for themselves.

It's fine to be a watchdog — if you watch, and listen.

BURTON BENJAMIN  
Executive producer  
CBS Evening News

James McCartney replies: *I'll stand behind what I wrote — that the CBS Evening News show on the signing of the so-called "sunshine" bill "created the impression" that President Ford was the father of the legislation.*

*I have no argument with the fact that Bob Schieffer reported, as he properly should have, that Ford sneaked out a statement afterward that he had serious reservations about parts of the bill. But I find no mention in the Schieffer text that if Ford had prevailed in Congress the legislation would never have been passed, nor any report on how hard Ford fought the legislation. And I would submit that the visual image of the Rose Garden ceremony, staged by Ford, left the impression in the minds of millions that Ford did, indeed, favor the legislation.*

*I wish that Benjamin would address himself to the central issue of this part of the piece — that the networks fell for the phony Rose Garden show not once, but repeatedly, and they shouldn't have. That to me is the real question, and a subject for serious discussion and debate. What I'd like to know from Benjamin is: Do TV executives really believe that they have no choice but to transmit images that their own reporters know to be false, just because a president of the United States is campaigning for office?*

## P. R. and plugola

TO THE REVIEW:

In Terry Ann Knopf's article ("Plugola: What the Talk Shows Don't Talk About," *CJR*, January/February), there's a defect we should talk about. It's the same defect for which I've admonished reporting students at Loyola of the South, Rutgers University, and other schools where I've taught journalism. It's an unusual defect to see in usually so fine a journal, but it's there in fairly large type. The defect is this: Where in that article does the writer give persons whom she criticizes a chance to answer her criticism? Nowhere! Here's a story about what the writer calls "plugola," an allegedly clandestine effort to sell the public "a bill of goods" under the "guise . . . of public-service information on television." Ms. Knopf claims spokespersons are part of a conspiracy (collaboration) between talk shows and big business designed to trick gullible TV viewers into buy-

ing products. Shady ladies she calls "conmen" masquerade as the "Banana Lady" and in other "disguises." They've "disguised access" to TV talk shows, where they "conceal their real purpose" which is to sell, using "subliminal" techniques.

Ms. Knopf cites Dudley-Anderson-Yutzy as a public-relations firm that sends spokespersons around the country to appear on these TV talk shows. And that much — what's in that one sentence — is true. We do! Yet is there a spokesperson for Dudley-Anderson-Yutzy quoted? No. Does the "Banana Lady" get a chance to say anything? No. Does the "Chocolate Lady?" No.

So here in the interest of journalistic fair play is what D-A-Y, one of the largest public relations firms in the country, would have said had it been asked for a comment:

The spokespersons for whom D-A-Y arranges guest appearances on television are not actors playing a part, but real people with expertise in the area they're discussing. They always inform broadcasters, and whenever possible they inform the TV viewers which of D-A-Y's clients they are representing. They provide consumers with information, often about food, in a straightforward manner. The TV program managers regard their appearances as a service to viewers, or they wouldn't have them on their programs.

"Our policy is totally candid. There's nothing subliminal about it," says D-A-Y's president, Jean Way Schoonover. "In fact we want our client's name to be mentioned on the air. That's why we're in business."

The article accuses Marie Rama, of D-A-Y, of being one of the "commercial conmen." "I've never been presented to the public 'simply as a pastry chef' as described in that article," says Ms. Rama.

"Ninety-nine out of a hundred times, the host of a TV talk show will introduce me as a spokesperson or representative of the Chocolate Manufacturers of America. So it's obvious I'm publicizing chocolate, even though I never mention any particular company or brand name, but simply refer to chocolate generally. How naive does this writer think TV viewers are? Here I am identified as representing chocolate manufacturers and I talk the whole time about chocolate, how to melt it, store it, use it and give it as a gift. What's so 'subliminal' about that?"

In short, D-A-Y has always felt consumers are entitled to get information which can

be of value to them, from people who know their subject, and they should also know who sponsors their appearances. Actually, it boosts the credibility of the firm's messages when the client a spokesperson is representing is identified on the air. Whether or not broadcasters allow identification of those spokespersons on the air is up to the discretion of the broadcaster. D-A-Y, as far as can be determined, has never been involved in a situation where the broadcaster has not identified who the spokesperson is representing.

THOMAS J. MADDEN  
Account executive  
Dudley-Anderson-Yutzy  
New York

Terry Ann Knopf replies: *Unfortunately, Mr. Madden has missed the point of my article, which is clearly stated at the outset: "Big business has entered the talk-show arena via 'plugola' — the use of promotional and sales techniques under the guise of public-service information." My objections to this practice are largely on the grounds of secrecy and misrepresentation — that is, all too often complete and proper identification of both the product and person is lacking. Moreover, there is a related issue of whether individuals with a vested interest are the best or most legitimate source for dispensing consumer-oriented "helpful hints" and "tips" to the viewer. Bananas may well be as nutritious and economical as the Banana Lady says, but I would prefer to learn the facts from someone with no direct ties to the banana industry.*

*Concerning Marie Rama, the Chocolate Lady, and her assertion that she was "never" passed off to the public simply as a pastry chef, for three years I was an associate producer on Good Day! (formerly called Good Morning!), a Boston-based talk show. My records indicate that on December 19, 1975 Ms. Rama appeared on the program and there was no mention of the Chocolate Manufacturers of America.*

#### Earlier controversies

Two items in the November/December issue have been challenged. Alan Miller, University of Maine, and John S. Day, *Bangor Daily News*, dispute parts of Myron Levin's article on the *Maine Times*. Michael

Wheeler finds fault with David Nexon's review of his *Lies, Damn Lies, and Statistics*. Although lack of space prevents publication of this correspondence, copies are available on request, with the authors' replies.

#### C.N.S. defended

##### TO THE REVIEW:

"Minority News — The Experiment Ends," by Ovid Abrams [CJR, January/February] is a disgrace and an insult to every journalist who has a commitment to accurate and continuous coverage of minority communities. The article states that "Even a minority news service must, finally, stand or fall by the quality of its product." C.N.S. did not "fall" because it was an inferior product. It was not.

For the six years of its existence C.N.S. maintained a staff of experienced and dedicated journalists, and was the first news organization to uncover such major stories as the city's municipal loan scandal, the leasing irregularities of day-care centers, and the increasing economic control by Arabs in New York City. We broke these and numerous other stories despite having to fight for press credentials, access to public officials, and other standard privileges commonly extended to the press. This, incidentally, is a problem still facing many black journalists not employed by the white media.

But an even bigger problem which C.N.S. constantly faced was one of money — a critical issue which Mr. Abrams's article failed to address. C.N.S. never received sufficient funding to develop beyond the "experimental" stage. It's important to note that the funding level for C.N.S. diminished drastically when blacks and Hispanics took control of the organization in 1971 and moved it from the New School to Harlem.

Unlike the New School's Urban Reporting Project, with its highly paid administrators and consultants who may have viewed C.N.S. as an "experiment," we were committed to a community-based organization that would provide the needed and ongoing coverage of minorities recommended in the report of The National Advisory Commission on Civil Disorders. This commitment was reflected in reporters' willingness to work at a pay scale lower than what other news organizations were offering, and to

frequently forgo raises in salary.

We wonder why Mr. Abrams did not at least give an accurate presentation of the facts. For the record, some of the other facts are: (1) our stories were not "slanted" or "p.r. enthusiasm" pieces that "never had anything good to say about whites," but rather were close examinations of the minority point of view; (2) press releases were used only as story leads, a standard practice in all media, and not as copy to be simply rewritten and sent to subscribers; (3) all of C.N.S.'s executive editors had management experience, including one with a Harvard business management degree; (4) in the six years of C.N.S.'s existence, there were six city editors, not several a year as Mr. Abrams stated, and general staff turnover was no greater than that at any other news organization; (5) "trainees" were always college students who either worked part-time for college credit or during the summer as part of C.N.S.'s intern program.

It is unfortunate that what may be the last statement on Community News Service has to come in the form of a letter protesting the same kind of media inaccuracies that made C.N.S. necessary in the first place.

ANNETTE SAMUELS  
WBAI Radio  
(former C.N.S. executive editor)  
CLINTON COX  
New York Daily News  
(former C.N.S. city editor)  
KNOLLY MOSES  
Free-lance writer  
(former C.N.S. reporter)  
AUDREY EDWARDS  
Fairchild Publications  
(former C.N.S. city editor)  
GIL MOORE  
Free-lance writer  
(former C.N.S. city editor)

Ovid Abrams replies: *I must say first of all that I do not wish to be embroiled in any unsavory squabble with my erstwhile colleagues, but I am somewhat bemused by their letter. In my article I did not attempt to deride C.N.S. Nor did I see fit to embellish the facts. Certainly C.N.S. did not outlive its experimental stage after six years of operations. But who is to blame, the Ford Foundation for not making further grants or C.N.S. management for failure to create a*

self-supporting news service?

I have worked at C.N.S. longer than all except one of the authors of the letter, and they will readily agree that I performed with unquestionable zeal and professionalism. However, I am not that hypersensitive to being black as to allow my pigmentation to becloud my powers of perception.

I maintain that C.N.S. management personnel did not measure up to the quality of executive staffs of comparable white organizations — and they all know that. This perhaps accounts for C.N.S.'s inability to sever the purse strings of the Ford Foundation, and for the inability of its management to make C.N.S. into a business entity, and hence for its inevitable demise.

What self-respecting black news organization will descend to the ignominious acts of begging for funds for its continued existence, without creating the avenues to earn its keep?

In evaluating C.N.S., I found that the agency did some excellent journalistic work and I said that. But C.N.S. did have myriad shortcomings which I think no self-respecting journalist — black or white — will condone. How could one defend shoddy journalistic practices where they obviously exist? C.N.S. has a place of admiration in my heart as it undoubtedly has in the hearts of my colleagues. I have not pointed an accusing finger at anyone and as a member of the team I must, however reluctantly, accept part of the blame for C.N.S.'s shortcomings, as I accept some of the praise for its areas of success. But chauvinism should not prevent us as professionals from making an objective evaluation of the service and admitting its flaws, regardless of how unpalatable they might be. My article was based on facts which they know I can substantiate.

#### A future for the past

In an article that appeared in the November/December *Review* arguing for an accessible historical record of network news ("Access to Television's Past," by Anne Rawley-Saldich), reference was made to litigation that was, at the time of publication, still pending — a test suit that had been brought in 1973 by CBS against Vanderbilt University seeking under the then-current copyright law to prevent the university's Television News Archives from taping and distributing copies of the network's *Evening News with Walter Cronkite*. However, the recently revised copyright law, which becomes effective in 1978 and which has a fair-use provision for such noncommercial application, now renders the suit irrelevant, and CBS has dropped it.

### The New York Times, its assistant managing editor, its Media Services Department, et al., vs. Fred C. Who?

by FRED C. SHAPIRO

Well, I sure hope all you *CJR* readers noted and read carefully the thundering full-page denunciation of me and my work that appeared on page 63 of the last issue of this publication. I'd like to assure everybody, though, that I had nothing to do with this unsolicited handsome advertisement. It was entirely researched, written, edited, and paid for by *The New York Times*. In case anybody missed it, heaven forbid, it was headlined "Darts (no laurels)" and laid out in the format of a department of this magazine, with five-line drop initials and plenty of the white space that the *Times* is making such conspicuous use of in its own columns lately, and signed at its conclusion by Peter Millones, the newspaper's assistant managing editor.

Frankly, I'm not surprised that the *Times* and its principal editors are in something less than full accord with observations I made in the November/December issue in a review of the new formats of both the *Times* and the *New York Daily News*, observations that were, I think, well set forth in the title, "Shrinking the News." I am surprised, however, and a little gratified, at the magnitude of the response which attacks me by name no fewer than five times in the first five paragraphs — and spells it right every time. *The New York Times*, Millones will have us know, "has a Media Services Department," and on the authority of the Media Services Department of *The New York Times*, Shapiro's conclusions are branded, among other adjectives, "erroneous," "silly," "distorted," "meaningless," and that all-time favorite, "preposterous."

Wow! What a glorious, thundering pronunciamento from America's leading national newspaper. Nonsense, the emperor shouts back at the critic who ventured to remark on his lack of attire, he is beautifully garbed, and he knows this because his Raiment Services Department tells him so. Well, what the hell, all this notoriety is heady stuff for the likes of this mere writer and occasional critic. It did cut short my personal ego trip, however, when I learned that *The New York Times* paid more money to the *Columbia Journalism Review* to denounce one of my articles than it has ever paid me to print one in its own magazine. In fact, the \$1,250 which, according to the rate

table, the *Times* put out for the ad is also nearly four times my payment from *CJR*.

Now I certainly wouldn't want to deny the *Times*, or anyone else, the opportunity to respond to me — no matter how disrespectfully. In fact, the last issue also contained two letters to the editor which challenged my conclusions, from diametrically opposed viewpoints, as it turns out. What I do question though, is the ethics of this course of *The New York Times* (which makes my ethics an issue) in attacking me personally in a manner calculated to forestall an immediate reply. That is, by declining the *Review's* offer to print its response in free letter-to-the-editor space, and then by submitting its advertising copy on the last possible day for doing so, the *Times* prevented me from pointing out then and there that it had slandered my ethics, misrepresented my conclusions, and evaded the point of my criticism.

Well, I certainly hope that it's been worth the *Times's* \$1,250 to buy sixty-day relief from the nagging pain of Shapiro, but now here I am again, still maintaining sadly that the news wardrobe of the emperor of newspapers has been curtailed. Startled, but not abashed, I repeat my contention that last September's change in formats at the *Times* and *News* is another manifestation of a continuing trend at both those papers to cover fewer stories and to report less news.

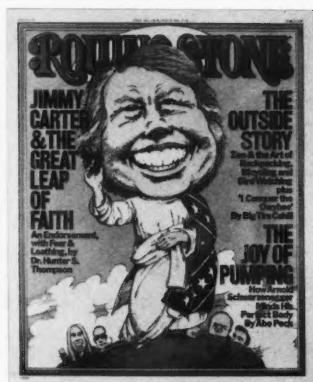
For the benefit of readers who may not have paid much attention to my original review four months ago — or have forgotten it — and are wondering what all the fuss is about, let me just say that I measured and contrasted the column inches of news in comparable editions of both newspapers on the Wednesdays before and after the format change, and cited as analogous the recent case of a candy manufacturer who brought out a larger, more attractive package which was found to contain less candy. Likewise, I maintained, our brighter, more attractive morning newspapers (and they are that) had been achieved at the sacrifice of some of the jujubes of news content.

I think I can fairly summarize the objections of the two letter-to-the-editor writers to this approach in two sentences. One says my calculations are all wrong. The other says that even if they were right, they wouldn't



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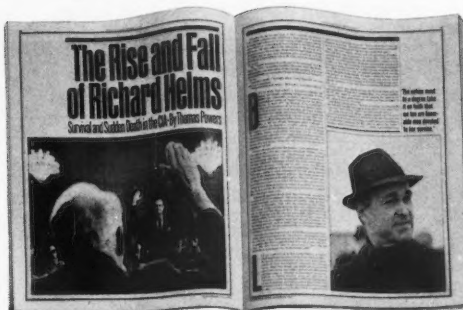
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—George McGovern

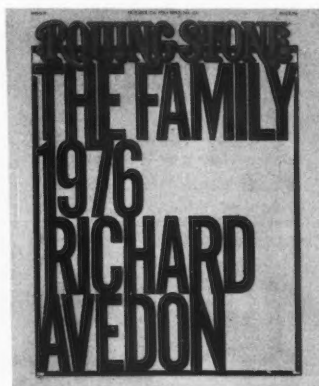
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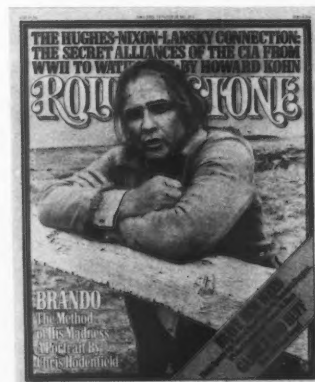
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mean anything. The *Times* advertisement embraces both those points, of course, and then goes a step farther to assail my ethics and those of the *Columbia Journalism Review*. Let me quote Millones's text:

"*Dart*: to the editors of the *Columbia Journalism Review*, who printed the article without ever checking with the *New York Times*, following the lead of the author who also failed to check with the *Times*."

Now I know of no ethical obligation on the part of a publication's editors to "check" a review with its subject. Tell me, Millones, do you and A. M. Rosenthal "check" the *Times*'s book and theater reviews with publishers and producers before you print them? And do you also expect the reviewers to "check" with their subjects before they appraise their work? I doubt that Clive Barnes, for one, does, and I know for my own part that when I reviewed a book for the *Sunday* section a year ago, I received a printed form that specifically directed me *not* to contact its publisher.

As a matter of fact, however, I *did* check with *The New York Times* before I wrote my piece. My call was taken by a responsible spokesman for the newspaper, Elliott Sanger, the assistant director for corporate

communications (I'm sure you'll want to check this out with him, Millones; his *Times* extension number is 7077). I identified myself as a writer on assignment from the *Columbia Journalism Review*, and he was kind enough to answer several questions on typographical specifications of the new format, and to send me the *Times*'s press release on it. In this release, under the name of W. Barry McCarthy, the director of corporate communications, are the two figures that are the basis of Millones's attack on my computation of *Times* news lineage.

I'll get back to that part of this dispute in a minute. First, however, as long as Millones has brought up this checking point — and I emphasize that this is *his* point, not mine — I'd like to tell the assistant managing editor of *The New York Times* to go *dart* himself. Neither he nor anybody from the staff of the newspaper checked with me before abusing my ethics and my judgment in a full-page advertisement in the *Columbia Journalism Review*. Had anyone from the *Times* called me to ask the basis of my computations, I would have referred him to the paper's own press release and to an article in *The New York Times* of September 7, which provides the same information.

This may be carrying Millones's homily on journalism ethics to the point of absurdity, but I want it understood that I did call him before writing this response, and he answered some of my questions — and very civilly, too. One was why he hadn't called me before placing his ad. "The *Times* was under no obligation to call you," he said, "since you didn't call the *Times* before you attacked it." Well, my journalistic adversary, that isn't how principles work. They don't vary according to circumstances. You either follow 'em or you don't.

Now to get down to the guts of this controversy: my calculation of the news space that the *Times* lost when it switched from the eight to the six-column format. Here let me give Millones a compliment. He does a whale of a job defending the *Times* news pages from "the 3.6 percent reduction calculated by Mr. Shapiro." I feel almost churlish in having to point out that I made no such calculation. That 3.6 percent figure appears nowhere in my article.

Let me summarize what I did calculate, and point out that the basis for these calculations was nothing more nor less than the announcement by the *Times* corporation, in both its press release and newspaper, that the

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## UNFINISHED BUSINESS

"present *printed* [my emphasis] column width of 1¾ inches will be . . . raised to 2¼ inches for news." True enough, these measurements didn't exactly match those of my ruler on the paper (both seemed about a sixteenth of an inch short), but I put the difference down to the phase of the printing process called, appropriately, shrinkage, factored the column dimensions as the *Times* published them (2¼ is 128.6 percent of 1¾), made comparative measurements in old and new format *Timeses*, and came up with a 3 percent (not 3.6 percent) reduction in overall inches of body type. Pictures, headlines and white space, I measured separately.

Hold it, says Millones. We don't count that way. "The total width of our six columns has been reduced from 14.662 inches to 14.500 inches: a 1.1 percent reduction." The assistant managing editor is, of course, talking about the way the paper is set while I was talking about what actually appeared, but if he wants to put this dispute into printers' measurements, it's O.K. by me. The *Times* used to set eight columns of 11 picas; now it sets six of 14½. Eight times 11 picas equals 88 picas; six times 14½ equals 87 — a one-pica reduction, the 1.1 percent Millones is talking about. A measly little pica, a sixth of an inch across the width of the whole page, who'd miss it? Certainly not the Media Services Department. When I asked Millones what the M.S.D.'s conversion factor was, he said six new columns were calculated to equal eight old ones.

Well, let's see what that little pica can do. The *Times's* page depth is 187 lines of body type, so that's 187 picas off a full page of editorial matter. In a 76-page paper with a 36.9 percent news hole (it's interesting that Millones doesn't dispute my news hole figures — he simply dismisses them as "irrelevant and misleading"; there's no pleasing some people), that little pica comes out to 2½ columns of editorial matter in the old format.

To make up for this decrease, Millones says, the *Times* increased its "fixed" news hole .6 of a page, which would compute to 3½ new columns. That certainly seems generous — 3½ wide columns to compensate for the loss of 2½ narrow ones — but damn if I can find them. Counting everything except folio lines, logotypes, mastheads, indexes, summaries, and promotional refers, I measured 4,654 news-column inches on September 1, and 3,417 on September 8. The *Times's* own pica-width factor (131.8 percent) brings the latter up to 4,504, which is a decrease of 150 column inches — about seven old columns, or a 3.2 percent loss. Count it in picas, inches, fathoms, or go

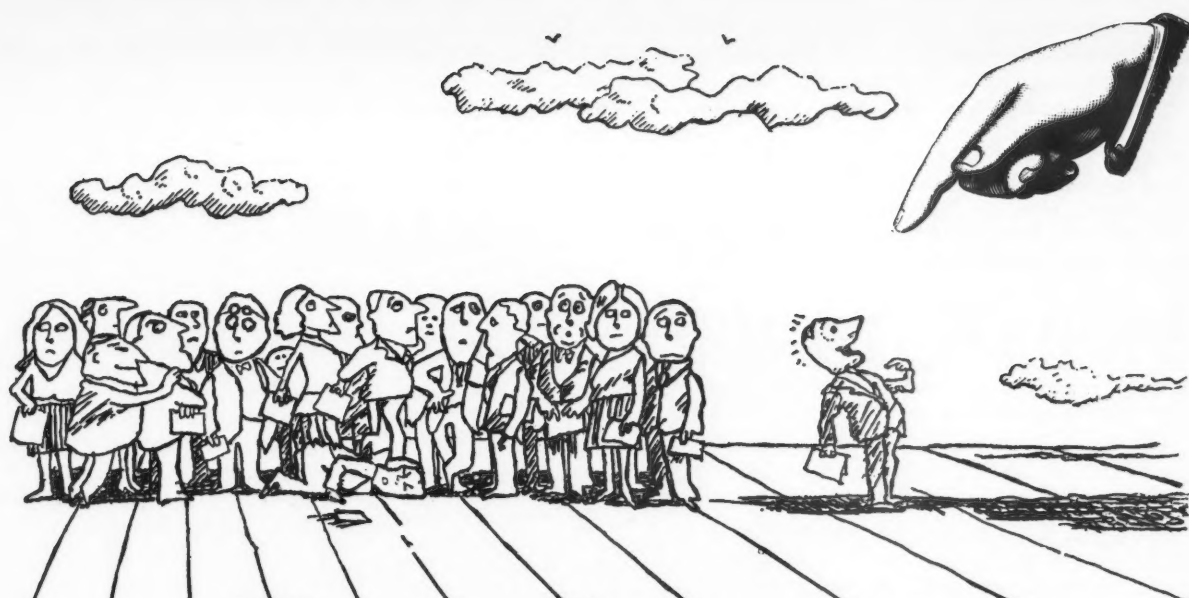
metric, Millones. The fact remains that the new format is a larger, prettier package containing fewer news jujubes.

I am not going to debate the *Times* on the differences between our two measurements of editorial space in each category of news except to say that I had no access to the paper's internal schedules, and claimed none, and therefore classified stories according to my own news lights. Millones responded by citing columns of space "allotted" *Times* news departments. I wonder if he'd accept a challenge to measure with me what appeared. He can bring the Media Services Department or the *Times* computer if he likes: I promise to show up armed with nothing more than a ruler. While we're counting, we might verify the other facet of my review which the *Times* ad neglected to mention: the startling (to me, anyway) decrease in the number of stories reported each day. The new format only emphasizes this shrinkage, even if all the items in "Notes on People" and the briefs are counted individually. On September 1, there were 112 local, national, and cable stories, and on September 8, only 93, a decrease of 17 percent.

Now, at last, the question of what, if anything, my comparison of two representative papers in the old and new formats means. Again, I'd like to mention that it was made in the context of a comment upon a shrinking news process that has been manifest, in the *Times* case, since 1958, when the printed width of editorial pages was 2½ inches greater than it is now. I also commented, in as much detail, upon the same trend at the *News*.

I selected the Wednesday before the change and the Wednesday after it to compare the two formats. Millones (quite correctly) points out that Labor Day came between those two Wednesdays, and maintains that "the volume of both news and advertising customarily change sharply" after that holiday. As far as advertising goes, the new-format *Times* had four more pages to accommodate it, and, in the case of news, I didn't notice any exceptional developments that would have caused *Times* editors to modify what its assistant managing editor stoutly maintains to be a "fixed" news hole, one that was demonstrated, he says, by a Media Services Department survey of "24 issues before and after the format change and the corresponding issues in 1975."

I don't know what you pay people to trudge their way through the *Times* every day with rulers, Millones, but I suspect it isn't enough. I will point out, however, that "24 days before and after the format change" would include four Sunday papers,



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time in many other ways. It was the first magazine to reveal the political contributions of the dairy lobby, and in an article that won two of journalism's most distinguished awards, the first to tell of the Army's spying on civilian politics.

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and possibly special and suburban sections. My comparison dealt with the basic weekday paper, and I so stated. The implication of the twenty-four-day survey, however, is that the paper may be submerging this basic weekday news report in a melange of soft feature and suburban (Long Island, New Jersey, Connecticut, and Westchester so far) paper sections. If that is the case, I can only express the wistful hope that the paper might see fit to put out a section for us New Yorkers some time, and to commend its promotion department on the cleverness of the new *Times* slogan: "It's a lot more than the news."

Now for the two letter-to-the-editor writers, Edgar R. Jones of Newton, Connecticut and Harry Steinberg of New York City. I'm afraid I've been neglecting these two correspondents, but after all, gentlemen, the *Times* did pay for priority.

Jones says I have done a disservice to a "valid" point, the decline in "the caliber of service the *Times* gives to its readers" with sloppy measuring and mathematics, and, indeed, he has caught me in two mistakes. The space between the new *Daily News* columns is closer to three-sixteenths of an inch than it is to the  $\frac{1}{8}$  of an inch I rounded it off at, and  $2\frac{1}{4}$  is certainly 28.6 percent greater than  $1\frac{1}{4}$ , not 128 percent greater, as I wrote in a

fourth-grade error of expression, if not mathematics. I commend Jones for doing what I wish more readers — mine and the *Times's* — would do: finding an old-format paper, and making his own comparisons. My critic is, however, better at undoing my arithmetic than he is at doing his own. His measurements of the width of the *Times* printed page exceed even Millones's figures; he finds no shrinkage at all, which, I suppose, might qualify him for a job in the Media Services Department.

Steinberg, while he doesn't dispute my calculations, considers them "totally pointless" because "it is not the raw inches of news hole that counts, but what's used to fill them." Say it again, Steinberg, I couldn't agree more. The problem, however, is that I know of, and you suggest, no objective standard to measure the quality of news.

Jones and Steinberg both have their own contradictory prescriptions for the *Times*. The former wants "more of the protein of hard news," while the latter asks less reporting of "the major events of the day" in favor of "more how-to and services pieces . . . tough penetrating analyses." I happen to agree with Jones on the point — just give me the news, please, I prefer to do my own analysis — but so what? None of us has been

entrusted with the authority to evaluate news for the *Times* (I don't know about you two fellows, but I don't think I'd better wait for Arthur Ochs Sulzberger to call), but that doesn't mean that we and the other readers of newspapers shouldn't be critical observers of the way news is expressed in them.

Steinberg may consider "pointless" figures showing that *The New York Times* is printing far fewer stories and continuing to cut down on aggregate news space in its basic weekday editions, but I don't, and neither did *The New York Times*, which spent \$1,250 in an attempt to refute them. I will agree with Steinberg to this extent, however. I find much less significance in the shrinking of the *Times* format than I do in the shrinking of *Times* standards which manifested itself in its frenetic, misleading, and unresponsive attempt to squelch a critic. The text of the *Times* ad concluded, incidentally, with the observation that "knowledgeable people will have trouble figuring out" why my piece was written and published in the *Columbia Journalism Review*. Knowledgeable people should have no trouble, however, in figuring out why this tirade could not have been accommodated in the honest — but shrinking — editorial format of *The New York Times*.

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# Introducing a new service: National News Council Report

The *Columbia Journalism Review* was founded, sixteen years ago, in the belief that American news media, which continually criticize every facet of American society, can themselves benefit from serious, precise criticism. In this issue, the *Review* adds a new dimension to its critique, with the inclusion of a continuing section devoted to current decisions and actions of The National News Council.

There is no official relationship between the *Review* and The National News Council. We have no representation on the Council and we remain free either to praise it for the good it does, or to scold it when we think it strays from its central purpose.

We at the *Review* would like to think we have provided at least part of the inspiration that finally brought the Council into being. The goals we outlined in 1961, when the *Review* was founded, have become more widely accepted within the journalistic community. We have watched and commented as the idea of a press council gradually took shape. More than a decade ago, one enlightened publisher, Barry Bingham of the *Louisville Courier-Journal and Times*, proposed the formation of councils, which would be made up of responsible citizens who would undertake to investigate and judge alleged misdeeds of the press and other news media; their findings would have no force except that of public opinion. A few such councils were attempted, on an experimental basis, under the sponsorship of The Newspaper Guild's Mellett Fund and others.

In 1971 and 1972, a task force organized by the Twentieth Century Fund, with assistance from the John and Mary R. Markle Foundation and other funds, and including a group of distinguished citizens and representative professionals, worked to hammer out a plan for a national council. In 1973, with support from a consortium of foundations, The National News Council was established with two purposes: "To examine and to report on complaints concerning the accuracy and fairness of news reporting in the United States, as well as to initiate studies and report on issues involving the freedom of the press." The Council was welcomed by many leaders in journalism, opposed by a few (including the influential *New York Times* and The Associated Press), and greeted

by many with a wait-and-see attitude.

In its three years of existence, The National News Council has become the most ambitious of the press council undertakings around the world. For one thing, no other nation has a communications system as active and as extensive as our own. Even the widely respected British Press Council has made no effort to extend its oversight to broadcasting. Despite the difficulties of getting an organization of this type started, The National News Council has won considerable respect. In its 1975 report on ethics, the American Society of Newspaper Editors said, "The National News Council's integrity to date is without question. . . . It has established a record that deserves much more attention than either editors or the public have so far given it."

A distinguished evaluation committee, appointed by the foundations supporting the Council and chaired by Judge George Edwards of the U.S. Court of Appeals in Cincinnati, reported in similarly favorable terms. We cite the report's high spots:

- "There does exist a positive need for a national news council. This conclusion is unanimous."
- "The Council has made a sound, if not spectacular beginning . . . It has been guided by high professional standards and care."
- "For maximum effectiveness, the Council . . . must take steps to bring its work more widely and more positively to the attention of the public and the profession."
- "The task of the Council is difficult and complex. But its importance to the national body politic is such that the Committee feels every effort should be made not only to continue the Council, but actively to seek to deepen and broaden the opening pathway which it has hewed out."

So it is that the *Review* now opens its pages to the reports and judgments of The National News Council. We believe that our readers will find some fascinating insights into what goes on within journalism and, naturally, we hope these special sections contribute toward the aim of providing the kind of attention the council has not heretofore been accorded.

EDWARD W. BARRETT

# NATIONAL NEWS COUNCIL REPORT

## Was NBC's interview with John Dean 'checkbook journalism'?

*Nature of Complaint (Filed December 7, 1976):* On October 13, 1976, John Dean, former counsel to President Nixon, was interviewed by NBC newsman Carl Stern on the *Today* show. The release of Mr. Dean's book, *Blind Ambition*, coincided with the interview. (Mr. Dean also appeared on the *Today* show on the following two days.) During the first interview Mr. Dean said that Richard Cook, a Nixon White House aide, had acted as liaison between the White House and then House Minority Leader Gerald Ford in an effort to block an early Congressional investigation of Watergate. Excerpts from the interview were used later that same day on the *NBC Nightly News*.

Mr. Cook complained to the Council that the interviews were broadcast as the result of a contractual arrangement between Dean and NBC concerning his book, and that the arrangement was concealed from the viewer. As a second allegation concerning the *Today* show, Mr. Cook declared:

After I submitted to a three-hour interview with NBC reporter James Polk and then issued an exclusive statement to NBC twelve hours in advance of air time, both Carl Stern and Tom Brokaw claimed that I had refused to be interviewed. . . . On October 13, 1976, NBC correspondent Polk called me and apologized for the manner in which the *Today Show* had misled its audience at the outset of the show into believing that I had refused to be interviewed. He promised that a correction on the air would be made. That has never occurred.

Furthermore, as to the *Nightly News* broadcast concerning the Dean interview, Mr. Cook charged that his statement was used in a manner which produced a gross distortion.

At the outset of the statement, I stipulated that Dean had talked and met with me several times on

the Patman Committee's attempt to obtain subpoena power in order to investigate the funding of the Watergate break-in. I then went on to say that Dean had lied with respect to the actions I took with Minority Leader Ford. Instead, *NBC Nightly News* displayed and voiced quotations from previously released White House tapes indicating that "Cook's the one" to handle the Patman hearings. They then spliced in my statement with a calendar display of Dean's personal logs indicating that, on the contrary, he (Dean) had indeed met and spoken to Cook on several occasions with respect to the Patman attempt to investigate Watergate. Here we have Stern and *NBC Nightly News* editors deliberately creating the impression with millions of Americans that I was denying what indeed I had stipulated in the first place was a fact.

*Response of News Organization:* On November 10, 1976, Mr. Cook wrote to Carl Stern making in essence the same complaint as he has now brought before the Council. No written response was made by anyone at NBC to either that letter or to Mr. Cook's letter to the Council which was duly forwarded to Richard Wald, president of NBC News. Paul Friedman, producer of the *Today* show, has spoken with Mr. Cook by telephone several times and Mr. Stern has told us of repeated but unsuccessful efforts on his part to reach Mr. Cook by telephone. In view of the fact that there was no written response from NBC, the staff spoke with various persons at NBC who are in a position to have knowledge of the circumstances surrounding the Dean interview, including Richard Wald, Paul Friedman, Carl Stern, and James Polk. In addition, the staff spoke with David Obst, Mr. Dean's literary agent, who was involved in arranging for the interview, and the publicity department of Simon & Schuster, the publisher of Mr. Dean's book.

The facts, as presented by NBC, and corroborated in essence by Mr. Dean's agent, were briefly as follows: Carl Stern, the NBC reporter who arranged for and conducted the *Today* show interview, had also interviewed Mr. Dean for NBC in January of 1975. At the time that that interview was arranged, NBC negotiated for, and obtained an option to acquire, the rights needed to use Mr. Dean's book in producing a documentary on Watergate. Mr. Dean had just been released from prison and, as far as could be ascertained, the book had not been commenced, although Mr. Dean had earlier expressed his intention to do so. The council's staff was

unable to obtain a copy of the contract providing for the option. It was told, however, that the contract provided for the payment of \$7,500 for the option on the book, the prepublication release to NBC of the manuscript so that NBC could determine if it wished to exercise the option, and the exclusive right of NBC to have an interview with Mr. Dean at the time of publication of the book. Apparently, there was also some provision for a right of first refusal (i.e., that NBC would have to say it was not interested in doing an interview before Mr. Dean could be interviewed elsewhere). The precise nature and terms of the first refusal provision are unclear. Various persons who had access to the contract or who had been told of the terms provided conflicting information as to essential details. And finally, in a letter, dated January 7, 1977, Paul Friedman, executive producer of the *Today* show, stated, "In fact, the contract specifically provided that Dean had no obligation to give interviews to NBC News when the book was published." NBC News president Richard Wald, however, assured a staff investigator that neither the first refusal provision nor the contingent right to an exclusive interview came to fruition. According to NBC, the option was abandoned immediately prior to the *Today* show interviews. The prepublication copy was provided within two weeks before the interview was taped and NBC advised Mr. Dean's agent shortly thereafter but prior to the interview, that it would not be exercising the option. All persons interviewed were vague as to the specifics of the termination, and the contract itself, the Council's staff was told, provided for no specific date of expiration. Mr. Dean's agent did not verify the NBC statements regarding the termination of the option. He did, assert, however, that the interview had "absolutely nothing to do with the option," and later added, "We were not paid any money whatsoever for the interview on the *Today* show."

As to the statements during the *Today* show that Mr. Cook refused to be interviewed, reporter James Polk told a staff investigator that he did indeed spend three hours with Mr. Cook, but that it was not an interview, because it was off the record. Because they were talking off the record, Mr. Polk said he did not take notes on the substance of Mr. Cook's remarks and spent a good part of the time with Mr. Cook in an

effort to persuade him to go on the record and to permit the NBC camera crew, which was waiting outside, to videotape his comments. Mr. Polk said that after a period of deliberation Mr. Cook declined, saying that he would give NBC a statement. Mr. Cook provided a copy of that statement with his complaint.

The statement is two-and-a-half pages long — approximately 700 words. Messrs. Stern and Polk provided the Council with copies of their scripts from the broadcasts. A review of the scripts and the transcript of the *Today* show provided by Mr. Cook reveals that the opening news segment of the *Today* show (at 7 A.M.) did not make any mention of Cook's statement, but said that he had "called Dean a liar, but refused to be interviewed." That segment consisted of a brief excerpt from Dean's interview and concluded with the statement from newsman Floyd Kalber:

Again, the more complete story on this with an interview, shortly after this news period, that Tom Brokaw and Carl Stern had with John Dean. It will be an in-depth interview and much more informative.

In concluding the later (beginning at about 7:20), more in-depth treatment of the interview, NBC newsman Tom Brokaw, who with Carl Stern participated in the interviewing, said, after explaining that the interview had been pre-taped:

Since then, Dick Cook, the man that John Dean mentions as working for the White House at the time, has denied Dean's allegations, but he has refused so far to be interviewed.

Dean now has reviewed his notes and he stands by his charges.

Later in this hour on *Today*, we'll be back and we'll be playing a portion of those hearings, as well as getting comment from the former White House aide that Dean mentioned; that is, Dick Cook.

After another brief excerpt from the Dean interview was broadcast in the next news segment (at about 7:30), Tom Brokaw returned with background on Ford's testimony before the Senate at the time of his confirmation and introduced the James Polk report, saying, "He has talked with Richard Cook." Mr. Polk said, in relevant part:

When NBC News informed Cook about Dean's new charges, Cook denied them vehemently. Cook said he never talked to Ford about the hearings. Cook said, quote, there are countless lies in what Dean has said today.

Cook declined to be interviewed on camera. Instead, he issued a written statement to NBC. In it Cook said John Dean was the only person who ever asked him to contact Ford. Cook's exact words: "Despite John Dean's repeated and frantic requests, I never spoke with Mr. Ford about the

need to deny Mr. Patman's request for subpoena power."

Cook was in frequent contact with Ford during that period because of Cook's White House duties on other legislation on Capitol Hill. But Cook said the only persons with whom he discussed the Watergate hearing were one Republican staff member on the committee and one Republican congressman, not Ford.

Cook accused Dean of vicious lies and clever distortions, and Cook suggested a new congressional investigation might put the issue to rest. In Cook's words, "There is no question in my mind that the president told the truth."

At the White House, press secretary Ron Nessen said he would stand on Ford's original testimony three years ago. Nessen said, "I don't have anything to add."

Once again, on a Watergate issue, it would seem it is John Dean's word against everyone else from the White House.

After the 8 A.M. break, Carl Stern returned with a report summarizing what had been broadcast throughout the first hour. In regard to Mr. Cook's statement he said only,

'In this instance,  
an "off the record"  
interview . . .  
is not an interview'

"Cook called Dean a liar but refused to be interviewed on camera." The staff was told by Mr. Stern that the words "on camera" were added to his script after Mr. Polk had received a phone call from Mr. Cook, early in the first hour, objecting to the statement that he refused to be interviewed. Both reporters felt that no further corrective action was necessary.

**Conclusion of The Council:** The complainant raises three issues concerning the *Today* show — in which John Dean, during a pre-taped interview, made certain allegations implicating both President Ford and the complainant in the Watergate cover-up — and the *Nightly News* follow-up to that morning program. The issues raised are:

- ☐ Whether NBC News engaged in so-called "checkbook journalism" in this interview,
- ☐ Whether NBC erred in stating that Mr. Cook refused to be interviewed, and
- ☐ Whether NBC distorted complainant's statement issued in advance of air time.

In handling these charges, we wish to stress that we are not in any way indicating a position on whether President Ford, Mr. Dean, or Mr. Cook are correct on the facts. That is emphatically not the issue before us. Rather, the issue is whether Mr. Cook's pos-

ition was fairly presented by NBC.

The complainant has suggested that the *Today* show interview came about as the result of a "partnership" or "joint venture" between NBC and John Dean, and was in reality "checkbook journalism." The issue is thus raised as to whether, at the least, NBC was not obligated to disclose the alleged payment.

The charge here is based upon the 1975 option, for which \$7,500 was paid, to use Dean's book in producing a documentary and to interview him upon the book's release. (There is some question as to the existence of the latter provision, in view of Mr. Friedman's letter of January 7, 1977.) And the charge is not without some substance because the *Today* show interview did occur at the time of the book's release (October 1976), and did specifically mention and discuss the book.

NBC officials assert that in any event the option agreement was terminated before the October 1976 interview with Dean. The evidence on this aspect could be clearer. In this respect, we note that we have been unable to obtain the option agreement, including its claimed interview and first refusal provision,

THE NATIONAL NEWS COUNCIL  
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or papers related to it such as termination notices or file memoranda on termination.

On the record before us, we do not find adversely as to NBC on this point. We take into account here not only the above statements of NBC officials but the fact that Mr. Dean's agent supports NBC with his assurance that the 1976 interview was wholly unrelated to the option agreement and entailed no payment. Significantly, the agent regards the 1975 NBC interview with Mr. Dean as "checkbook journalism." (We do not take up this issue, as the complaint here goes to the 1976 interview. We do note NBC's denial on this score.)

We have less difficulty in rendering findings on the complainant's other two charges. On his second charge, as set forth in the opening paragraph of this conclusion, we find that Mr. Cook did decline to be interviewed on the record and the question of whether or not Mr. Polk offered to see that a correction was broadcast is thus insignificant. We note in this regard that in the spirit of responsiveness the clarifying words "on camera" were promptly inserted in the commentary subsequent to Mr. Cook's objecting. While it would have been more appropriate to have noted at the outset that Mr. Cook declined to be interviewed *on the record*, we cannot conclude that the omission of the italicized phrase was so misleading as to find against NBC in these circumstances. In this instance, an "off the record" interview — one that could not be used in the broadcast — is not an interview, for all practical purposes.

Similarly, we find the complainant's third charge unwarranted. It is our opinion that the NBC broadcasts gave full and fair coverage to the brief statement which he made available to NBC. The statements and visuals complained about, involving excerpts from the White House tapes and Dean's references to meetings with the complainant, are appropriate parts of the news story, and it was well within NBC's editorial discretion to include them. NBC also set forth the complainant's rejoinder — that he had not carried out the instructions in the tape and that Dean lied concerning what happened at the meetings.

Further, the news organization sought to handle the interview with Mr. Dean in a professional way with an accompanying interview with Mr. Cook. Both the *Today* show producer and Carl Stern have made, since the broadcasts, repeated offers to arrange time for Mr. Cook to give his rebuttal. It is certainly Mr. Cook's prerogative to decline these offers but, in doing so, he has of his own volition passed up the opportunity to present his side in the forum most likely to reach the same viewers that he claims have been ill-served by the broadcasts.

*Concurring:* Brady, Ghiglione, Isaacs, McKay, Otwell, Renick, Rusher and Straus.  
*Concurring in part:* Green.

*Dissenting opinion by Green:* On the first complaint brought by Mr. Cook, it seems to me, "checkbook journalism" cannot be restricted only to an outright payment for a specific interview. If an indirect relationship has been established by the payment of a given sum, ethical questions are raised which should not be ignored.

NBC certainly has a right to refuse to disclose its contract, but the murkiness around this case could have been cleared up if NBC or John Dean had been willing to show the contract to which they had agreed.

The existence of such a contract or the existence of financial arrangements between John Dean and NBC was not disclosed to the viewing audience at the critical time in question — the time of NBC's interview with John Dean and at the time his book was being promoted on the NBC broadcast on October 13.

Unaware of any financial arrangements between NBC and Mr. Dean, the viewing public had a right to assume it was straight news to which they were listening. I believe serious ethical questions are raised about "checkbook journalism" and that Mr. Cook's complaint is warranted, in this aspect. I concur with the majority as to complainant's other two charges, as set forth in the majority opinion. (January 18, 1977)

## Was a '60 Minutes' exposé on a facility for child care unfair?

*Nature of Complaint (Filed December 7, 1976):* Adelio J. Montanari, director of the Montanari Residential Treatment Center of Hialeah, Florida, charged that a segment of the program *60 Minutes* (October 17, 1976), entitled "Interstate Commerce of Kids," was unfair in that it presented a distorted picture of his facility and of his work with the children at the center.

The Montanari Center, in operation for twenty-five years, accepts retarded children, juvenile delinquents, and others with psychi-

atric or disciplinary problems who are sent to it by agencies or families in many states which do not have homes or adequate facilities for them.

Mr. Montanari contended that the *60 Minutes* segment made no mention of the professional surveillance of the children at the center and that its producers had relied on what he described as discredited employees and a self-interested child care expert to make their case. He also objected to the film editing, which he said "mocked and caricatured what I might say."

Commenting on the work of Kenneth Wooden, author and head of the National Coalition for Children's Justice, and as a consultant for CBS, Mr. Montanari said that Mr. Wooden had gained entrance to his facility by "passing himself off to us as a placement investigator for the state of Illinois."

He went on to say:

No man deserves to see his lifetime's work vilified in 15 or 16 slapdash minutes. Nor does the very agonizing question of how best to deal with the very real problems of caring for emotionally disturbed children deserve such raw misrepresentation. Ultimately, the children are the ones who suffer.

*Response of News Organization:* Robert Chandler, vice-president for administration of CBS News, in a letter dated December 17, 1976, characterized the complaint as lacking in substance. Said Mr. Chandler:

Its specific allegations relate not to the contents of the broadcast and to the substantive questions of fact raised in the report, but to questions surrounding the qualifications and status of four peripheral participants. Nor, in raising questions about these participants, does it challenge the substantive factual allegations raised by them.

The complaint goes to considerable length to defend itself against a charge which was never made on the broadcast. Mr. Montanari says that his school is in compliance with the standards of official agencies and courts of many states and professional agencies, and that reviews made subsequent to the broadcast have also found him in compliance.

*60 Minutes* never suggested that he was not in compliance with these varying standards; to the contrary, it was clear in the report that many states welcomed the existence of Montanari and the opportunity to assign children there.

What we did suggest, and which Mr. Montanari admitted on the broadcast, is that he advertised in his manuals and brochures facilities and resources at his school which are nonexistent or only intermittently existent. Mr. Montanari admitted to this misrepresentation on the air, as the transcript will verify, and he makes no effort in his complaint to deny this misrepresentation.

A Council representative also visited the school to seek a fuller understanding of the operation.

*Conclusion of The Council:* We turn first to the specific complaints. With one exception, we find them unwarranted.

As Mr. Chandler points out, the specific factual allegations, which are not challenged, concern the unavailability of line facilities, textbooks, or guidance advertised in his promotional manual; the use of drugs to help control many of the children; or the profits accruing to Mr. Montanari from the school's operation. Indeed, Mr. Montanari supplied much of this information in the answers he gave to Mr. Wallace's questions.

We do uphold the complaint as to one specific charge: the failure in the program to have devoted the time necessary to have added to the identification of Kenneth Wooden as one who had served *60 Minutes* as a special consultant and investigator in developing the program. Mr. Wooden's letter of October 11, 1976 states that the program is "a direct result of . . . my intensive work as an investigative reporter with the staff of *60 Minutes* for four months." The program, however, simply identified Mr. Wooden as an expert called upon to give his views ("Ken Wooden is director of the National Coalition for Children's Justice. He has checked out hundreds of facilities around the country, Montanari among them").

We do not uphold the complaint on the charge that the program should have disclosed an "obvious commercial interest" of Mr. Wooden — his book on the general subject of the interstate commerce of children. As the public knows and expects, many experts have written books on the subject of their interview; we do not believe it appropriate or necessary to urge an iron-clad rule that there should be disclosure of such book publications. Indeed, as Mr. Chandler points out, such on-air disclosure may serve to promote an extraneous commercial interest.

Finally, we come to the charge that Mr. Montanari's school "warehouses" children for profit. We are confronted here with the familiar dilemma of conflicting positive values. On the one hand is the desirability of scrupulous balance in news or documentary reportage. On the other is the desirability of robust opinion journalism, which may and frequently does stress certain facts to the near-exclusion of others. As the Council's own investigation readily established, the Wallace interview omitted a number of easily ascertainable factual points favorable to Mr. Montanari and his school. But that was Wallace's privilege, unless the omissions vitiated the whole purpose and quality of the program. We do not find that they did.

*Concurring:* Brady, Ghiglione, Green, Isaacs, McKay, Otwell, Renick, Rusher and Straus. (January 18, 1977)

## News promo places offshore oil rigs on East Coast beaches

*Nature of Complaint (Filed October 13, 1976):* Edmund P. Hennelly of New York City charged that a "tease" (a short promotional preview) for a segment of the *Eyewitness News* on New York's WABC-TV, on September 27, 1976, dealing with drilling for oil off the Atlantic coast, was inaccurate and unfair. The "tease," which was aired at 5:45 P.M., fifteen minutes before the program, declared "the court fight continues to keep oil companies from drilling on the beaches." In a letter to Bill Beutel, anchorman for the news program, Mr. Hennelly contended that the "tease" should have referred to offshore oil drilling, which was the subject of the story on which the "tease" was based.

Mr. Hennelly contended that the drilling tracts which were the subject of the story were forty-seven to ninety-two miles offshore and added, "There is no rational connection in the mind of the average listener, including my own, that drilling on the beach could mean 47 to 92 miles away."

"I am not unaware that this is a highly emotional subject and I tend to believe that your characterization may well have heightened the emotional intensity surrounding the issue."

*Response of News Organization:* WABC-TV News declined to provide the Council with either a transcription or tape of the "tease" or of the news story in question. In a letter to Mr. Hennelly, dated December 28, from Douglas S. Land, general attorney for ABC, it was acknowledged that the phrase "on the beaches" appeared in the "tease."

The letter declared:

I certainly agree that WABC-TV's news tease on September 27, 1976 at approximately 5:45 p.m., was improperly worded. It reads as follows: "The court fight continues to keep oil companies from drilling on the beaches." I have talked with the station's staff writer who wrote the line. To her knowledge, it was a typographical error in which "on" should have read "off."

The full news story which followed made it clear that the drilling would be located off-shore.

Since the report was accurate, I do not see the need for a correction.

*Conclusion of The Council:* First, some general observations: Broadcast stations should apply the same standards of accuracy to news promotions as to news stories themselves. Efforts to promote viewing or listening through sensationalizing or distortion by condensed or erroneous wording certainly should be avoided on the air just as they should in print via inaccurate or misleading headlines.

In this case, while the news account in question accurately reflected the location of the proposed oil drilling as being offshore, the earlier promotional tease announcement did not (referring as it did to "on the beaches" as the location). This was a significant error, seen by an audience that may have differed from that for the news broadcast itself. In cases where such errors are made, acknowledgement of the error and its later correction on the air are desirable.

We also note that the response to this rather simple complaint occurred only after three months and after intervention by this council.

The complaint is found warranted.

*Concurring:* Brady, Ghiglione, Green, Isaacs, McKay, Otwell, Renick, Salant and Straus; *Abstention:* Rusher. (January 18, 1977)

## Libel judge favors probing journalist's 'state of mind'

The National News Council is moved to remark upon the decision issued January 4 by Federal District Judge Charles S. Haight, Jr., in a case brought by Col. Anthony Herbert against Barry Lando, Mike Wallace, CBS, and *The Atlantic Monthly*.

In the pre-trial taking of evidence, Lando, the author of an article about Herbert that appeared in *The Atlantic Monthly*, declined, on advice of counsel, to answer several questions posed by Herbert. The questions had to do with whether Lando believed statements made by people he interviewed and quoted in the article. In ordering Lando to respond, Judge Haight commented, "The publisher's opinions and conclusions with respect to veracity, reliability, and the preference of one source of information or another are clearly relevant. It is no answer

for the defendants to say that they accurately repeated the words of certain of their interviewees."

It is the Council's view that the decision carries pre-trial discovery questioning into new ground—that of permitting inquiry into "subjective aspects of [the journalists'] state of mind" in the gathering and editing of information. In so commenting, the Council is not judging the merits of the issues. The judge, however, categorized the case as "one of first impression," i.e., a judgment on an issue not previously decided by the courts. The Council believes that the issues posed are of major portent for the press, for the law, and for the public at large; and the Council therefore feels duty-bound to call to the attention of the public and the press the major First Amendment issues involved. (January 18, 1977)

## The media-shy physicians of Broward County, Florida

*Nature of the Complaint (Filed May 28, 1976):* Milton Keily, editor of the *Fort Lauderdale (Florida) News*, complained to the Council on June 17 that a new code of ethics issued by the Broward County Medical Association was a prohibition of free expression.

The code, which had been issued on May 4, 1976, was described as restricting the First Amendment rights of free speech and posing a potential threat to a free press. In writing to the Council, Mr. Kelly said: "I am bringing to your attention a case as severe as any."

According to accounts appearing in the *Fort Lauderdale* newspapers, the issuance of the new code was precipitated by the filming of open heart surgery at one of the local hospitals, and by a feeling attributed to some in the medical community that some area physicians were involved in publicity that they interpreted as unethical and self-aggrandizing.

Restrictions under the new code include:

- ☐ Doctors contacted by the media may not permit the media to use their names unless the quote is cleared by the B.C.M.A. The only exceptions to this are the president and president-elect of the association, speaking not as individual practitioners but as officers of the association.

☐ Texts of speeches made by county doctors must have prior approval of the county medical association.

☐ Doctors may depart from their prepared texts, but any such statements made in general must be substantiated by the written text.

☐ Questions and answer sessions regarding a speech may be conducted only at the time the speech is made, and may not include self-aggrandizement by the doctor, nor criticism or comparisons with other doctors or medical facilities.

☐ Announcements of medical innovations may be made only through the county medical association. Further requests for information by the media must be handled only by the association.

☐ No posed pictures of doctors may be taken.

☐ Doctors are not permitted to make statements comparing other doctors, medical facilities or equipment.

☐ No media may be allowed in an operating theatre if a patient is present. The only exception is when photographs are being taken for the exclusive use of an accredited medical publication with prior approval by the medical association.

☐ Doctors are not permitted to give interviews in a hospital setting nor are they permitted to wear or be pictured in surgical garb during an interview.

The code is concluded with the clause, "DISCIPLINARY ACTION FOR VIOLATION OF THE CODE, INCLUDING SUSPENSION, DEFINITELY WILL BE TAKEN SWIFTLY AND SUMMARILY" (emphasis by the medical association). The new code was approved without opposition by twelve committees within the Broward County Medical Association and by the association's executive committee.

According to the Florida Medical Association, no other county medical associations in Florida have or are planning to adopt codes matching the Broward County code. Don Jones, executive director of the state medical association, said that while both the American Medical Association and the Florida Medical Association have issued policy statements concerning the ethics of dealings with the media by physicians, county societies are at liberty to adopt their own codes.

*Response of the Broward County Medical Association:* According to William G. Stafford, executive director of the Broward County Medical Association, in a letter dated July 2:

We have never been consulted concerning the *News's* editorial policies. We see no reason to consult the media with respect to our professional principles. . . .

The one news story which precipitated our action in revising our code was one which was offered by a local hospital, refused by the *Fort Lauderdale News*, and appeared in another local newspaper. There appears to be a variance in what is printable and what is not in your area. We have codified ours. Our business is physicians. We are a doctor organization. We accept applications which are rendered voluntarily. We are also a democratic organization, ruled by majority. That Code may be changed by majority vote of the membership. A physician not willing to abide by the majority rule has but to resign.

Mr. Stafford concluded his letter saying that the county medical association has an "obligation to our members to prevent their exploitation by the media, or hospitals."

*Comparison with Other Codes and Guidelines:* In order to gain a better perspective on the revised Broward County Medical Association code, several other guidelines and codes were reviewed. These included guidelines published by the Judicial Council of the American Medical Association; the Columbus and Franklin County (Ohio) Communications Media Guidelines; the Cleveland (Ohio) Code of Cooperation for Newspapers, Radio, Television, Physicians and Hospitals, and the Colorado Code of Cooperation—Guidelines for: Medical Profession, Hospitals, and News Media.

The difference between the Broward County code and other guidelines and codes examined is immediately apparent in language and overall tone. All the other guidelines and codes stress cooperation between the medical profession and the news media.

For example, the A.M.A. guidelines contain this clause:

The Judicial Council construes Section 10 [of the Principles of Medical Ethics dealing with relationships between physicians and the communications media] as encouraging physicians to work with the communications media as an integral and important part of the principle of upholding the responsibility of the physician to society as a whole.

The A.M.A. prefaces its guidelines with a statement declaring that:

Physicians are aware that patients' information concerning health and health education frequently comes from the daily or weekly newspaper. The press, together with popular magazines, radio, and television, are often the primary, and for many, the only source of information about medicine and health.

The Columbus and Franklin County guidelines state:

Through a combined program of cooperation between physicians and newsmen, and a willingness to see the other person's point of view, our efforts should evolve into a solid working relation-



ship with the News Media of Columbus and Franklin County.

The Colorado Code of Cooperation states as its purpose:

[T]o furnish medical news to the public which is accurate and authentic, and therein to promote understanding and cooperative action between allied health professions and those who report medical news.

The Cleveland "Press Code," developed by the Cleveland Hospital Council, with the cooperation of the Academy of Medicine of Cleveland and newspaper representatives, declares:

A harmonious relationship between the medical and news professions can exist only in an atmosphere of mutual trust, with the realization that the primary obligation of both physicians and health care institutions is to safeguard the life, health, privacy and other legal rights of the patient.

In contrast to these, the Broward County Medical Association code begins with a negative — "1. No media may be allowed . . ." — and ends with instructions regarding censure, suspension, or expulsion of members charged with violations. Nowhere in between does the word "cooperation" appear. Nor is there any indication that the media were consulted in any way regarding problems that led to revision of the code.

It is clear that many of the requirements of the Broward County code directly contradict clauses concerning the media set forth by the A.M.A. and the other codes reviewed. The A.M.A. code suggests that a list of physicians be made available to the media in order that prompt and accurate medical information may be given at all times, and that "this information should be given freely." Although the Broward County code makes nu-

merous requirements that information must be cleared through its offices, there is no clause which establishes a list of physicians authorized to make such clearances outside of the association's president and president-elect.

Still other guidelines and codes in general establish authorized lists of physicians who may be contacted by the media, but also make provisions for exceptions. The Columbus, Franklin County guidelines, for example, state that "when approached by the press, any physician may comment as to his own opinion within the realm of sound judgment, good common sense and strict adherence to the Principles of Medical Ethics."

The Cleveland code, while setting up a "spokesman" procedure, states, "This is not to be construed as denying news media the right to seek out other physicians for their opinions. These may also be quoted by name, if mutually agreeable, and shall not be regarded as unethical or self-serving."

The Colorado code declares:

Physicians may not participate in public controversial discussions as spokesmen for the Colorado Medical Association without prior approval by the State Society. Nothing within this paragraph, however, shall be construed to prevent a physician from speaking as an individual without such approval.

The Broward County Medical Association code takes a hard line regarding doctors who are contacted individually by the media:

Doctors who are contacted individually by the media must insist that their names cannot be used unless the media contact involved clears such quotes through the BCMA office.

The A.M.A. code permits pictures of physicians, posed or unposed, in connection with appearances before medical organizations, scientific meetings, social, or civic affairs. The Broward County code forbids posed photographs of physicians under any circumstances.

Regarding interviews on radio or television, or for magazines or newspapers, the A.M.A. simply states that "such individuals cannot escape the implication of representing the medical profession and their conduct should be in keeping with the high standards of the profession." In no way does the A.M.A. discourage or forbid physicians from interacting with the media. However, interviews on medical innovations are forbidden by the B.C.M.A. code unless controlled by the B.C.M.A.

It must be noted that the A.M.A. applies the principle of home rule to the various regional, state, and local associations and they are at liberty, and have the right to impose

their own codes on their members.

The A.M.A. guidelines make this clear:

The American Medical Association is well aware that specific decisions regarding relations between physicians and the communications media must and should be determined at the community level by the local medical society and its membership. These guidelines are offered to the county medical society as a starting point and a reference to help them develop and improve press relations at the community level.

*Conclusion of the Council:* One cannot argue with the statement by Mr. Stafford that the Broward County Medical Association intends "to maintain the moral standards of the profession [of medicine]." Indeed, a primary purpose of any professional organization should be to maintain the ethical standards of its practitioners.

Nor should a professional organization be lax in its efforts to prevent exploitation of its members, albeit some members may assiduously seek and encourage personal aggrandizement. And, indeed, the Council has been in other cases and continues to be concerned about reporting of medical developments, which it recognizes is a sensitive area.

However, when a code is imposed that drastically curtails the freedom of the individual to speak out, to state his or her own views, that restricts the taking of photographs, with punitive action threatened as a result of noncompliance, a serious question is raised as to whether one's First Amendment right to free speech has been violated. By the same analysis, one can question whether such codes imposed on an individual, or an organization, hamper the ability of the press to provide a free and unfettered flow of information to the public.

The Council sees in the Broward County Medical Association's "Publicity and Public Relations Code" a contravention of First Amendment rights, both of the individual members of the medical association and of the press. By adopting such a restrictive code, it is exacting the effects of a prohibition on all of its members. And by doing that, it is effectively censoring the ability of the press to inform the public.

The profession of medicine has an obligation to keep open its lines of communication with the public it serves. Such lines involve cooperation with the press, which is the only direct line of communication with the entire public. The Broward County Medical Association revised code, as it now stands, is clearly a form of censorship.

*Concurring:* Cooney, Dilliard, Ghiglione, Isaacs, Ivins, Pulitzer, Rusher and Straus. *Concurring in the result:* Fuld. (November 16, 1976)

## CBS pledges to support Council

*Excerpted from a January 25, 1977 Associated Press story:*

CBS Chairman William Paley pledged his network's full cooperation to the National News Council on Tuesday and said CBS News will report any Council findings adverse to the network.

Paley said in a letter to the Council that it "has furnished an impartial and expert group to which aggrieved parties can appeal for a review in the interest of fair treatment by the news media."

CBS has followed a policy of responding to complaints filed with the Council but with the Paley statement it becomes the first of the three major networks to formally endorse the Council's aims and procedures.

# REPORTS

"Why Astor Sold It To Arco," by Godfrey Hodgson, **The Nation**, December 25, 1976

The sale last winter of a British institution to a foreign oil company (the London *Observer* to Atlantic Richfield) raised disturbing questions; here are some equally disturbing answers. Hodgson's article is informed, witty, and tough. He explains the background of the negotiations and examines the motives of the participants — not only the bride and groom, but also the matchmaker and other suitors — most notably the Australian paper-eating dragon, Rupert Murdoch. Hodgson offers the provocative theory that the *Observer's* owners chose to sell to Arco instead of Murdoch because the oil company represented the lesser threat to the status quo. The paper's own best interests, according to Hodgson, in fact coincided with those of Murdoch, who, seeking to gain professional respectability and to avoid competition with his own London *Sun*, stood to profit only from an *Observer* that would be both commercially and journalistically improved. Arco, on the other hand, could afford to maintain the *Observer* in what Hodgson calls "its tiredness" — and, not incidentally, retain its present management. In Hodgson's view, the story of the *Observer* explains much about the plight of Britain in general: it all comes down to a loss of nerve.

"The New Photojournalism," by A. D. Coleman, Sean Callahan, Michael Edelson, and Jon Holmes. **The Village Voice**, November 29, 1976

Here are four critical views of the state of the art. Disputing the popular notion that photojournalism died with *Life* and *Look*, Michael Edelson points to a variety of vital signs and suggests that the death of the big magazines may even have benefited the medium by removing it from an environment of competing commercial messages. Sean Callahan attributes the dullness of the photojournalistic material that gets published — as distinct from what is available — to the underestimation by editors of the graphic sophistication of their readers; he predicts the development of a "new photojournalism" that will have the same kind of liberating effect as did the new journalism. Jon Holmes explores some telling connections between the public news photo and the private snapshot, and con-

cludes that just as together they make "two halves of an enormous document of our times," so too together they will fade into obscurity. Perhaps the most unexpected approach is by A. D. Coleman, who warns that the current perceptual revolution — that is, the shift from a rational to a visual perception of reality — carries the potential for social evil. The present reality of Orwellian technology combined with our failure to define the language of imagistic communication and to understand its tools, he believes, leaves the way clear for malignant manipulation. "Remember," he cautions, "the seduction of Narcissus was visual."

"Business News in Post-Watergate Era," by J. T. W. Hubbard, **Journalism Quarterly**, Autumn 1976

Based on a pair of surveys taken ten years apart, this comparative study of business and financial journalism covers such topics as the public's interest in business news (substantially increased), salaries of business reporters (generally up), desk staffing levels (surprisingly, constant or down), and investigative coverage (sharply higher). There are also indications of problems: lack of time, incompetence of reporters, a sense of editorial isolation. But most disturbing of all are the reports of increasing pressure from the front office to enlist the business pages in the service of the advertising department. While Hubbard is not insensitive to the dilemma posed by a let-the-chips-fall reporting attitude and the economic publishing realities that argue against it, he does conclude that "corporate immorality may have made its own inroads into the world of newspaper publishing."

"Magazines of Afro-American Thought on the Mass Market: Can They Survive?" by Donald Franklin Joyce, **American Libraries**, December 1976

Since its beginning in 1900 with the publication of *The Colored American Magazine*, the course of commercial periodicals of Afro-American thought (and ownership) has not run smooth. This informative article traces the development of the genre through the publishing histories of five of its major efforts: the original *C.A.M.*, which was backed by Booker T. Washington for a time until its demise in 1909; the general interest

*Half-Century* (1916-25); the sophisticated *Competitor* (1920-21); the ambitious *Abbott's Monthly* (1930-31); and the popular, longer-lived *Negro Digest/Black World* (1942-51, 1961-76). Undaunted by the high mortality rate of its ancestors, a new model, *First World, An International Journal of Black Thought*, bowed early this year. Will it enjoy a happier fate? The signs, says Joyce, are promising.

"The Broadcast Media and the Political Process 1976," **Broadcasting**, January 3, 1977

In this ambitious wrap-up, the trade magazine reviews the coverage by radio and television of the 1976 political year. Presenting voluminous detail as well as perspective, the report considers each of the significant aspects along the trail from the primaries to the post-election. Worth noting particularly is the comprehensive survey of the performance at the local level.

"State of the Lingo," by Aristides, **The American Scholar**, Winter 1977

Language, argues the author of this lucid, graceful essay, is like other natural resources subject to pollution, depletion, and neglect; as such, it requires supervision and control. He notes the early efforts to establish an American equivalent of the French Academy, and considers some recent literary attempts at linguistic authority: *Harper's Dictionary of Contemporary Usage*, and *6,000 Words: A Supplement to Webster's Third New International Dictionary*. Rejecting the qualifications of the first and the "open admissions" policy of the second, Aristides explains his own rules for policing "the verbal traffic of the United States [where] it is always rush hour." It is not change which is at issue, but removal of the "bad" words and phrases, and his basis for banishment is threefold: words that are vague ("getting [what] all together?" he wants to know); words that are without meaning (it was not only Christ and St. Francis who were "meaningful," he reminds us; so too were Attila and Hitler); and words that are removed from reality (his objection to "life-style," for example, is on the ground of its false assumption that a change in one's life-style implies a change in one's life and character as well). The essay makes a persuasive plea for "a national posse of language cranks. . . . Anyone who uses language publicly — a writer, politician, teacher, journalist — anyone who lives off language without caring about it . . . ought to be made to feel, wherever possible, the sting of criticism."

# The Lower case

## Ford gives swan song

Body is located in river

Tallahassee Democrat 1/13/77



"Our workshop is an attempt to set up an old biddy system to encourage those women who made it the hard way to help the younger women who are trying to move up." *Seattle Post-Intelligencer* 12/5/76

## Bill Would Permit Ads On Eyeglasses

Tulsa Daily World 11/30/76

## Cold Wave Linked To Temperatures

Daily Sun Post (San Clemente, Calif.) 1/17/77

## Police Kill Man With Ax

The Charlotte Observer 11/27/76

## Sexual Battery Charged

Columbus (Ohio) Dispatch 12/7/76

## Less Mishaps Than Expected Mar Holiday

The Missoulian 12/28/76

First time at Ridglea. The Connie Hays Trio will entertain in the Cocktail Lounge during December. Connie Hays plays piano and handles the vocals, as well as Frank Sharp, on guitar.

Ridglea Country Club Scene (Fort Worth, Tex.) 12/76

## Self-Abuse Is No. 1 Killer

The Atlanta Journal 12/15/76

## Mulroy names handicapped advisory board

Syracuse Herald-American 12/12/76

## Marital Duties To Replace Borough Affairs for Harold Zipkin

Norwich Bulletin 12/13/76

POLICE SAID ALL THE WINDOWS OF THE WHALING MUSEUM WERE SHATTERED. WINDOWS ALSO WERE BROKEN IN POLICE HEADQUARTERS, THE Y--M--C--A, AND SEAMAN'S BROTHEL ON JOHNNY CAKE HILL. THE BROTHEL WAS MENTIONED IN HERMAN MELVILLE'S CLASSIC WHALING NOVEL, MOBY DICK.

10:26AES 01-18-77

### CORRECTION

IN NEW BEDFORD, MASSACHUSETTS, FIRE STORIES, THE BUILDING REFERRED TO AS "SEAMAN'S BROTHEL" SHOULD BE "SEAMAN'S BETHEL." PLEASE MAKE THE APPROPRIATE CORRECTIONS.

THE AP.

11:15AES 01-18-77

## Cure Sought for Rural Health

Kansas City Star 12/1/76

## Newspaper Is America's Most Valuable Educational Agency

The Indianapolis Star 1/3/77

## More elderly bus passes

Ottawa (Canada) Citizen 12/8/76

## Hot dog firm in new hands

The Advocate (Newark, Ohio) 1/12/77

JONES WAS ARRESTED ON THE ROOFTOP OF THE HOLIDAY INN MOTEL IN DOWNTOWN PORTLAND MONDAY AFTER A SNIPER FIRED DOZENS OF SHOTS INTO THE STREETS BELOW. ONE POLICEMAN WAS HIT IN THE CHEST BUT SAVED BY HIS BULLET-RESISTANT CHEST.

UPI 12/1/76



She says I never give her flowers.



A diamond is forever.

To give you an idea of diamond values, the piece shown is available for about \$1350.  
Your jeweler can show you other fine diamond jewelry starting at about \$200. De Beers Consolidated Mines, Ltd.

